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46TH CONGRESS, } SENATE. { REPORT
2d Session. } { No. 708.

IN THE SENATE OF THE UNITED STATES.

JUNE 8, 1880.—Ordered to be printed.

Mr. KIRKWOOD, from the Select Committee on the Removal of the Northern Cheyennes, &c., submitted the following

REPORT:

[To accompany S. Res. 120.]

The Select Committee to examine into the circumstances connected with the removal of the Northern Cheyennes from the Sioux Reservation to the Indian Territory, have had under examination the subject committed to them by the resolution of the Senate, and respectfully report:

That four members of the committee visited the Cheyenne and Arapahoe Indians at their present location near Fort Reno, on the North Canadian River, in the Indian Territory, after having examined six Northern Cheyennes at Lawrence, Kans., where they were in prison.

At Fort Reno a number of chiefs and leading men of the several parties or bands of Indians were examined, and also the civil and military officers in charge there, from whom any valuable information could be gained. The evidence taken is herewith reported, and the information gained is in substance as follows:

In 1825 the Cheyenne Indians were a wild and roving tribe, who subsisted by the chase and had no permanent villages. They held, in this way, the country lying between the North Platte and the Arkansas Rivers, extending as far east as a line drawn from the junction of the North and South Forks of the Platte to the Cimarron crossing of the Arkansas River, and as far west as a line drawn along the crest of the Rocky Mountains from the Red Buttes on the north to the headwaters of the Arkansas River on the south. This claim of occupation was not respected by the Sioux, the Poncas, the Utes, the Shoshones, or the Comanches as an exclusive claim of ownership; each of these tribes being accustomed to hunt within those limits as opportunity was offered by the absence of the Cheyennes in other parts of this wide domain. The United States never formally recognized the title of the Cheyennes to this tract of country until the treaty of Little Arkansas River, concluded in October, 1865, and then only as a claim of occupancy which they and the Arapahoes agreed to relinquish.

The Cheyenne and Arapahoe Indians were so nearly related in all respects that the Government of the United States has regarded them as constituting one nation, and so the treaty of 1865 was made with them jointly. The second article of that treaty "set apart for the absolute and undisturbed use and occupation of the tribes who are parties to this treaty, and of such other friendly tribes as they may from time to time agree to admit among them," &c., the country lying between the Arkansas and the Cimarron Rivers, extending as far west as a line to be drawn from the mouth of Buffalo Creek, on the Cimarron, north, to the Arkansas River. This land, or a large part of it, was claimed by the Cherokee Indians under existing treaties with them.

Under a treaty of 27th July, 1853, the Comanches, Kiowas, and Apaches were confederated; and under the treaty of October 17, 1865, that confederation was dissolved, and the Apaches were received by the Cheyennes and Arapahoes "among themselves on an equal footing with the members of their own tribes," and the United States agreed to the merger of their tribal relations, or the confederation of the tribes, and extended to them the benefits and obligations of the treaty of October 14, 1865. On the 28th October, 1867, the United States made a treaty with the Cheyennes and Arapahoes without taking any notice of the confederated tribe of Apaches, and it is supposed that this action was founded upon the idea that the said tribe was no longer a separate nation. This last treaty gave the Cheyenne and Arapahoe Indians the land bounded on the north by the Kansas line, on the south and west by the Cimarron River, and on the east by the Arkansas River, with a guaranty of enlargement of the area from contiguous territory, if, on being surveyed, it should afford less than 160 acres of tillable land to each person authorized under the treaty to reside upon it.

This treaty also cut off the privilege given the Indians by the former treaty of 1865 to reside upon and roam over their old hunting grounds between the Platte and the Arkansas, and omitted any reference to the right of the President of the United States, "with the assent of said *tribe*, to designate for said *tribes* a reservation, no part of which shall be in the State of Kansas, and cause them as soon as practicable to remove and settle thereon." The territory now occupied by the Arapahoes and Cheyennes seems to have been set apart to them under an executive order of the President on the 10th August, 1869, which, with the papers relating thereto, will be found in the appendix. No part of this land is included in the reservation granted by either of the treaties with these tribes, and it has never been confirmed to them by act of Congress. It is entirely south of the Cimarron River, and extends west to Texas. It has no boundaries fixed by law or by the executive order, in which no area is described, and it was never intended to be more than a temporary abiding place for those tribes, where they were to stop until the United States could extinguish the claim of the Cherokees to the lands included in the treaties with the Arapahoes and Cheyennes.

The last treaty of limits was concluded 28th October, 1867, ratified July 25, 1868, and proclaimed 19th August, 1868. This treaty fixed the definite boundaries of the Cheyenne and Arapahoe Reservation in the area between the State of Kansas on the north and the Cimarron and Arkansas Rivers on the east, south, and west, and was proclaimed more than eleven months before the President fixed their location, by an executive order, in a different part of the Indian Territory. Thus the whole subject of the Cheyenne and Arapahoe Reservation was left in doubt and confusion, with the additional complication of the interest of the Apaches in that reservation, wherever it was, or whatever it was; and the doubt and confusion still exists.

On the 10th May, 1868, a treaty was concluded with the *Northern Cheyenne* and *Northern Arapahoe tribes* of Indians. It was ratified on the 25th July, 1868, and was proclaimed on the 25th August, 1868.

About the year 1825 several bands of Cheyenne and Arapahoe Indians separated from their kindred and united with the Sioux. These bands are known as the Northern Cheyennes and Arapahoes. There is no evidence that they were confederated with the Sioux by any public agreement; and it is probable, from the statements of Indians who were examined as witnesses before the committee, that they were only affiliated with the Sioux through intermarriage.

On 28th February, 1877, by act of Congress, an agreement was ratified between the United States and all the Sioux tribes, and the Northern Cheyennes and Arapahoes were included in the agreement, and signed it, but not as bands or tribes of Sioux Indians. That agreement, as modified by amendments, was made to relate only to the reservation in Dakota Territory, and contains provisions for the permanent settlement of all the Indians named in it in the Sioux Reservation, with the right to allotment of lands in severalty, and to various other advantages in furtherance of their efforts to adopt the habits of civilized people.

This agreement is in harmony with the treaty made with the Northern Cheyennes and Arapahoes nine years before that time, the second article of which is as follows:

Treaty between the United States of America and the Northern Cheyenne and Northern Arapahoe tribes of Indians, concluded May 10, 1868; ratification advised July 25, 1868.

* * * * * * *

ARTICLE 2. The Indians, parties to this treaty, hereby agree to accept for their permanent home some portion of the tract of country set apart and designated as a permanent reservation for the Southern Cheyenne and Arapahoe Indians by a treaty entered into by and between them and the United States at Medicine Lodge Creek, on the —— day of October, eighteen hundred and sixty-seven, or some portion of the country and reservation set apart and designated as a permanent home for the Brulé and other bands of Sioux Indians by a treaty entered into by and between said Indians and the United States at Fort Laramie, D. T., on the twenty-ninth day of April, eighteen hundred and sixty-eight. And the Northern Cheyenne and Arapahoe Indians do hereby relinquish, release, and surrender to the United States all right, claim, and interest in and to all territory outside the two reservations above mentioned, except the right to roam and hunt while game shall be found in sufficient quantities to justify the chase And they do solemnly agree that they will not build any permanent homes outside of said reservations, and that within one year from this date they will attach themselves permanently either to the agency provided for near the mouth of Medicine Lodge Creek, or to the agency about to be established on the Missouri River near Fort Randall, or to the Crow Agency near Otter Creek on the Yellowstone River, provided for by treaty of the seventh day of May, eighteen hundred and sixty-eight, entered into by and between the United States and said Crow Indians at Fort Laramie, D. T.; and it is hereby expressly understood that one portion of said Indians may attach themselves to one of the aforementioned reservations and another portion to another of said reservations, as each part or portion of said Indians may elect.

This treaty and the subsequent agreement each secured to the Northern Cheyennes and Arapahoes the right to a permanent home with the Brulé and other bands of Sioux, and the act of Congress by which the agreement was amended and ratified requires the President "to prohibit the removal of any portion of the Sioux Indians to the Indian Territory until the same be authorized by act of Congress hereafter enacted."

In the report of the Commissioner of Indian Affairs of November 1, 1877, speaking of the removal of the Northern Cheyennes and Arapahoes, he says:

These Indians for several years past have been reported as receiving rations with the Sioux at Red Cloud Agency, but as "belonging" with their southern brethren in the Indian Territory, whom they could not be induced to join by any persuasion or command unsupported by force.

The same difference between the disposition of the two tribes has been shown during the Sioux war that was manifested in the Cheyenne and Arapahoe war of 1874 and 1875 in the Indian Territory. The whole body of the Cheyennes took prompt and active part in hostilities, while the Arapahoes, almost without exception, remained loyal to the government. After the surrender of the main portion of this tribe, the Cheyennes were suddenly seized by a desire to remove to the Indian Territory. This unexpected announcement was followed by prompt action, and on the 28th of May last 937 Cheyennes left Red Cloud Agency under military escort, and after seventy days' journey reported at Fort Reno, and were turned over to the Cheyenne and Arapahoe agent.

In accordance with their earnest request made to the President during the recent visit of the delegation in this city, permission was given the Northern Arapahoes to join the Shoshones on the Wind River Reserve in Wyoming. In a formal council held last month by Agent Irwin with the Shoshones, their consent to the arrangement desired by the Arapahoes was obtained, and the removal of the latter is now in progress.

In the same report he says:

Experience has demonstrated the impolicy of sending northern Indians to the Indian Territory. To go no farther back than the date of the Pawnee removal, it will be seen that the effect of a radical change of climate is disastrous, as this tribe alone in the first two years, lost by death over 800 out of its number of 2,376. The Northern Cheyennes have suffered severely, and the Poncas, who were recently removed from contact with the unfriendly Sioux and arrived there in July last, have already lost 36 by death, which, by an ordinary computation, would be the death-rate for the entire tribe for a period of four years.

After such forcible statements of the difficulty of getting the Northern Cheyennes to remove to the Indian Territory, and of the impolicy of sending them to that country, it is a curious inquiry as to the cause of their sudden desire to remove to the Indian Territory, and of the activity of the government in aiding their removal.

The following extracts from the report of James Irwin, United States Indian agent of the Red Cloud Agency, show the condition of the Indians in August, 1877:

* * * * * * *

Owing to the disturbances that have lately occurred in this country, and the necessity for military interference, the occupation of the Black Hills country by miners, and the anticipated change of the location of their agency to the Missouri River, the Indians keep up a fever of excitement; but, notwithstanding, I find them generally disposed to be quiet and orderly, and whatever may have been their desires and hopes, and however great their final disappointment, they have accepted the situation with considerable grace, and express their determination to henceforth "travel the white man's road" (Crazy Horse is an exception, and will be mentioned hereafter); and should the new agency be fortunately situated in reference to agriculture and stock-raising, I believe a large number will try and do something for themselves. Many of them are now trying to cultivate patches of land along the little streams adjacent to the agency. Some of them have used their hands for shovels and hoes, and have shown them to me worn and bleeding. My acquaintance with them has been brief, and I find no records of the past in this office to assist me in making out the accompanying statistics and to furnish me other useful information.

* * * * * * *

If the people would reflect on the fact that the Sioux were a few years ago a powerful, independent, self-sustaining nation, and have been brought to poverty by the loss of their country and the destruction of their game, they would certainly have charity enough to be patient, if they knew the work of reconstruction was radical and certain, and a prospect of relief in the future.

* * * * * * *

All the other Sioux bands are doing well, and it seems hardly possible that they will ever take up arms again.

About 1,100 Arapahoes under Black Coal are attached to this agency, and are camped in the neighborhood; they are most thoroughly subjugated, peaceable and obedient to every order; they will submit to almost anything rather than go to their southern agency, believing they will all die in a few years in that miasmatic country.

The Northern Cheyenne Indians had been to some extent (probably the largest portion of them) participants in the war for independence waged by Sitting Bull in the year 1866–'67, and had suffered severe losses and punishment. Dull Knife's band, who were a warlike and intractable people, had also been engaged in severe conflicts with the Shoshones. It is not certain by any means that the larger part of the hostile Cheyennes who engaged in the war as followers of Sitting Bull were not driven to it by mistaken and unprovoked attacks of the United States troops. However that may have been, they did not follow Sitting Bull into Canada, but, after Spotted Tail had visited them and carried to them friendly messages, they came in without compulsion and surrendered themselves.

Their apprehensions of danger from the Spotted Tail Sioux and from the Government of the United States and their averson to being removed to the Missouri River probably led the Northern Cheyennes to the sudden determination to remove to the Indian Territory. The treaty of 1868 and the agreement of 1877 had already provided for the terms upon which they were to remove. The Sioux commission made the agreement that was amended and ratified by Congress on 28th February, 1877, and the Northern Cheyennes were reassured by that agreement and came south.

They left the Red Cloud Agency on the 28th May, and on the 5th August, 1877, 937 of them arrived at Fort Reno in charge of Lieutenant Lawton, Fourth Cavalry.

Some of the Northern Cheyennes assert that Generals Crook and Mackenzie told them that it was the will of the government that they should remove to the Indian Territory, and they left Dakota reluctantly; that they also made representations in regard to the fertility of the country and its climate and the abundance of game, which proved to be untrue. If such representations were made it is likely that they only added to the willingness of the Cheyennes to leave the Sioux country, which they desired to leave because of the troubles into which they had fallen.

There is no satisfactory proof that the Indians were misled in any material respect with reference to the country, or that they had a promise of being allowed to return north. Little Chief and his band were under General Miles at Fort Keogh, and the warriors were engaged as scouts in his operations against the hostile Sioux and the Nez Percés, while Dull Knife and other chiefs were either in alliance with the bands under the leadership of Sitting Bull or were in camps remote from the Red Cloud Ageny and were in a doubtful attitude with reference to the United States in that war.

Little Chief and his band came to the Indian Territory a year later than the Dull Knife and other bands, and were coming south at the time that the latter were moving north in their desperate attempts to regain their native land.

In order to present fairly the case of Little Chief and his people, the committee extract from his testimony and from that of Ben Clark and General Miles the following statements:

BEN CLARK.

FORT RENO, IND. TER., *August* 21, 1879.

BEN CLARK sworn and examined.

By the CHAIRMAN:

Question. State what your employment has been for a number of years past.—Answer. I have been in government employ all the time since 1868.

Q. In what capacity?—A. As scout, guide, and interpreter; part of the time as a scout, part of the time as a guide, but the most of the time as an interpreter; sometimes all three.

Q. Did you come with one of these bands of Cheyennes from their northern home to this point?—A. I came with the Little Chief band of Northern Cheyennes from Dakota to this place.

By Mr. MORGAN:

Q. Did you know the Cheyenne Indians well, and were they acquainted with you and friendly toward you?—A. I was well known to them and knew them all; I was personally acquainted with the Southern Cheyennes for years before; the Northern Cheyennes I was not so well acquainted with, but I saw them occasionally and they all knew me by reputation.

Q. When you returned, you came down with Little Chief and his band?—A. Yes, sir.

Q. Were you with them when they had the interview with the officers which resulted in their coming away?—A. I was with them when the interview with General Sheridan occurred. They had heard from General Miles that they were to come down, and he had sent them as far as Fort Abraham Lincoln, but with no definite orders. I was ordered to go to Fort Abraham Lincoln and get some Indians that were there and take them to Chicago. From there they were to be brought down here to join the Southern Cheyennes—it having been decided by the government that all the Northern Cheyennes should join the Southern Cheyennes down in this country.

Q. What expression of feeling did they give upon learning of that decision?—A. They expressed themselves dissatisfied; they said they would much prefer to remain in the north, in the Yellowstone and Tongue River country; they said if they could be allowed to remain there they would be willing to do anything the government would require of them; would scout for the government against its enemies, Indian or otherwise, or farm, or do anything else there; but they were very unwilling to come here. Still, they did not say they would not come; they said they would come if they had to. They were told it was the intention of the government to send them down that fall by railroad and steamboat; it was now November. They begged to be allowed to remain at Fort Lincoln until spring, and then be allowed to come down by land on their ponies; if the government would issue rations, they would rather furnish their own transportation, and come in that way, as it would be pleasanter and healthier than to be carried on cars and steamboats. This request was granted. General Sheridan said he would send me to come down here with them; they had asked for me to come down with them. When I went up there, in the latter part of the following April, I went for that purpose.

Q. You are well acquainted with Little Chief?—A. Yes, sir.

Q. He appears to be very much dissatisfied?—A. Yes, sir; very much. He does not talk like ever being satisfied, though he always says that he will not act as foolish as Dull Knife did; still he may say so, thinking he may not have to do it. He probably thinks it is policy to say so. I will tell you what he did do on the way down. A couple of exciting events occurred that the young men would as soon have fought about as to have given up to, but he was the main instrument in preserving peace. At the disarming of the Indians at Sidney, and their partial dismounting at the North Fork of the Canadian by Clarence Mauck, they argued that they were very much wronged, as these arms had been given them after the partial surrender of their arms and horses to General Miles, in the spring of 1875. After that surrender and disarming and dismounting, they were armed and mounted again to serve as scouts, to reward them for valuable and faithful services, and told that they could keep their arms and also keep their horses to travel down to the Indian Territory with. They said they never had done anything to forfeit the good will of the government, and they thought that they ought to be allowed to retain their horses and arms as had been promised them.

Q. What number of Indians attach themselves now to Little Chief here, so far as you know?—A. After his arrival here about twelve families left him—expressed themselves reconciled to remaining in this country, never expecting to go back north. All the rest remain with him, still hoping to go back north some time. Then there are some thirty other families, of the first band of Northern Cheyennes that came down here, but who did not choose to break away with the rest.

Q. How many does that make under his leadership in all?—A. That makes about sixty-odd lodges that are under his influence and acknowledge him as their leader.

Q. They look to a return north yet?—A. Yes, sir; and if they thought they could go with the permission of the government, as near as I can understand, there would at least ninety families go back; but after hearing the decision of the Secretary of the Interior, a part of these families left Little Chief and gave up all hopes of being allowed to go north.

Q. Let me ask you this question: The importance of the chiefs is diminished somewhat, is it not, by the mode of distributing rations here?—A. Yes, sir.

Q. Do you suppose that that probably has anything to do with Little Chief's position on this question? Do you suppose he would rather have about him a body of Indians who would acknowledge him as their chief, and whom he could have more completely under his control than can be the case here?—A. I do not think that has anything to do with his feelings in regard to going back north. He has had more with him since he came than he had before the outbreak of 1878; long before he got here and saw the country, before he ever started, he was always in hopes he would be allowed to go back.

Q. Did he claim that it had been promised him that in case this country did not suit him he would be allowed to return?—A. He claims that General Miles told him that. I was interpreter for General Sheridan, and Sheridan did not tell him that; he told him, on the contrary, that the government intended to move all the Northern Cheyennes here to stay, and make their home henceforth with the Southern Cheyennes.

Q. This interview with Sheridan was after their talk with Miles?—A. Yes, sir.

Q. State what promises General Sheridan did make them, if any.—A. As near as I can remember, he told them that this was a fine country for Indians; that there was still considerable game here; that they would be allowed to hunt; that the country was a large one, and one that they could promise more safely would always be set apart for the Indians, and would not be taken up by white men. Up north, he said, it was only a question of time when the whites would take the whole country away, as they had taken the Black Hills away. He said the government had decided that it was for the interest of the Cheyennes to remove. He said he liked the Cheyennes especially, and would like to do what would be best for them. They mentioned to General Sheridan about having these arms that General Miles had given them, and asked him whether they would be allowed to retain those arms. The general told them that when the arms had been given them with these promises they would be allowed to keep them. Then they mentioned the horses that General Miles had given them, and General Sheridan promised that they would be allowed to keep them also. They had a lot of other things which they had captured, which the general said should not be taken away from them.

By Mr. **Plumb**:

Q. Captured by these Cheyennes, while in the service of the government, from hostile Indians?—A. So I understand. A part of them were what they had surrendered themselves, that afterwards were given back to them. Their arms were given back to them in order to rearm them to act as scouts for the government, but most, if not all, of those arms had been captured by them, while acting for the government, from the hostile Nez Percés and Sioux.

Q. After Little Chief came back from Washington, did you observe any change in the opinions or conduct of his people? Did they still talk and act as if they expected to go away, or did they appear to become more reconciled to their fate?—A. I observed that a portion of the Northern Cheyennes, when they found out what had been the decision of the government, talked and acted as if they had given up all idea of going back north. But Little Chief said before he got here that he had understood that an election took place every five years, when a new President was elected, and he said that he hoped under another administration his application might be more successful, and that he might be permitted to go back north. He asked me if this "Big Eyes"—that was what he called the Secretary of the Interior—would be changed, too, when the new administration came in. I told him I thought he would. He said he thought his chances would be better then; he said he thought it would be better to have a thorough change in the government and try a new party. That was actually an idea of his own—about there being more hopes for him under a new administration.

LITTLE CHIEF.

Fort Reno, Ind. T., *August* 19, 1879.

Little Chief and Black Wolf appeared together before the committee, and after some conversation between them, the interpreter, and the committee, not exactly in the nature of an examination, Little Chief was examined as follows:

By the **Chairman**:

Question. Which do you like the best, the country down here or the country you came from?—Answer. I like best the country I came from.

Q. Why do you like that the best?—A. Because that is the land where I was born, the land that God gave us, and because it was better than this in every way; everything is better up there than here; the climate is better, the soil is better, the water is better.

By Mr. **Dawes**:

Q. What made you come down here?—A. We were first told by General Miles that the government wanted us to come down to this Territory; we did not want to come; he told us to come down here anyhow; he said a good many of our relatives were here, that had come down with the Dull Knife band; he said if we did not like the country we could get our relatives together who had come down ahead of us and go back north again; if we were not satisfied, he said, he would have it arranged so that we could go north again; there would not be much trouble in doing that, because, he said, the government knew the valuable services we had rendered helping him (General Miles) in the Nez Percés campaign; also in capturing the Lame Deer Sioux village. We were with General Miles as scouts, and captured the Sioux herd and also the Nez Percés herd of horses. Some of the Cheyennes killed the chief of the Sioux village, Lame Deer, himself, and gave up the captured horses to General Miles. When we surrendered to General Miles we gave up all our horses and arms; afterward he gave us back some horses to scout for him—also some arms to scout with. Afterward, when we left there to come south, we were allowed to retain some horses and arms, on account of our services to the government. I supposed the government had heard everything about us, and the services we had rendered and our situation exactly. A party of us—myself and several others—were sent for by General Sheridan to go to Chicago; at Chicago we were told by General Sheridan that we would have to go south; we told him about these things, the horses and arms, being given to us, with a promise that they should not be taken away; General Sheridan said he knew of that, and it was all right. But when we came down here the arms and a part of the horses were taken away from us.

By Mr. PLUMB:

Q. What was done with the arms and the horses?—A. The arms are still here in the post, stored in the quartermaster's office; the horses were taken to Camp Supply and sold by order of the quartermaster.

By Mr. MORGAN:

Q. What was done with the proceeds?—A. I do not know. (Interpreter: "The proceeds were sent back and used for those Indians who gave up their horses." The witness continues by way of explanation:) We traveled down peaceably, without causing anybody any trouble; but after arriving at Sidney, where the Dull Knife band party were, we were told that we must surrender our arms, because they were afraid we would join the Dull Knife party. The arms were taken by order of General Crook. After taking them at Sidney they gave them back to us, with promises again that they would never be taken from us any more; but after getting down here they were taken from us and were never returned to us again.

Q. How long was it after Dull Knife's band came south before you came?—A. Two or three months.*

Q. Why did not your band come down with Dull Knife's?—A. We were several hundred miles from White River, where his band started from; we were at Fort Keogh, at the mouth of Tongue River, under General Miles, while the others were under General Crook.

Q. When Dull Knife and his party came, were you or any of your party in the service of the government as scouts?—A. All our young men were serving as scouts then for General Miles, carrying dispatches, &c. We were fighting the Nez Percés and the Sioux, with General Miles's troops, when the other band was coming down.

Q. Did your band ever, at any time, live with Dull Knife's band, or did your band always live in a tribe by themselves?—A. We lived with them at times, but not all the time. A great deal of the time we lived about the head of Tongue and Powder Rivers, though when in we went to the same agency with them.

Q. When you and your band arrived at Sidney did you not know that Dull Knife and his band had gone away?—A. It was at Lodgepole Creek, at Sidney, that we first heard the news.

Q. Did you hear it from the white people or from Indians?—A. We heard it from the whites; the news came up by the white people's mails.

Q. After you got down here, did you find it healthy or unhealthy?—A. After getting down here our band began to get sick; my son, a grown-up young man, was taken sick and died; it is not as healthy here as it is where we came from.

Q. What time of year did you get here?—A. In the winter—in December, I think; at least it was in the fore part of winter.

Q. What fort did you leave?—A. Fort Keogh, Montana Territory.

Q. How long were you on the way down?—A. About six months; we came by the way of the Black Hills, Bear Buttes, Sidney, Wallace, and from there down by the route the other party came. We did not expect to stay here; the only expectation we had in coming down was that of finding our relatives here, and having them go back with us if they did not like it here, as we had been told we might do, both by General Miles and General Sheridan.

Q. How came you to expect to go back before you had been here to find out whether you would like it here or not?—A. We had heard that the other Indians had broken away and had gone north because they did not like it here.

Q. What post did you draw rations at?—A. At Fort Keogh; there was no agency there; we were held nominally as prisoners of war, and the rations we received were issued by the War Department to us as prisoners of war; in the beginning we got full soldier rations; afterwards we received rations the same as the Indians at the agency, full rations as prescribed by the Interior Department.

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* This answer is a palpable error. The witness undoubtedly understood the question to be, "How long was it after Dull Knife's band went *north* before you came?" for the answer would be a correct one to that question.

Q. From whom did you use to draw rations before you drew them at Fort Keogh?—A. Before we were taken to Fort Keogh—before the war broke out—we used to live with the Red Cloud Sioux.

Q. Did you not draw any rations from the government at all then?—A. When we were there they used to issue rations to us, but when we were out we had all the game we wanted.

By the CHAIRMAN:

Q. Is there any game here?—A. There is not anything here to hunt; there is a great deal more game up north.

Q. If you have no game here, what do you want of arms?—A. We captured those guns from the Nez Percés when they were fighting the government; we were told that on account of the aid we had rendered the government against its enemies those guns should be ours always; we worked for them; we risked our lives for them; they were promised to us, and we think we ought to have them.

Q. Would you not be as well satisfied to have the value of the arms in money, or clothing, or something else you need?—A. We would rather have the guns than money or anything else; this is not a good country to hunt in; there is not much game here, but whatever is here we could get better if we had guns than we can without any, and we should like to have the benefit of it; there are some turkeys and some antelope.

By Mr. PLUMB:

Q. What has been furnished you on account of the sale of your horses?—A. They took from us our horses, the best we had, and we received in return eleven dollars in money each; it was not much money, and we didn't care much about it; we don't care for money as we do for our horses; the land that God gave us, that we always looked on as our own, was full of money; there was plenty of gold in the ground, and the eleven dollars that we got for our horses didn't amount to much.

Q. Was that all that was realized for the horses?—A. That was all we got; each Indian received eleven dollars, regardless of what kind of a horse it was that he had; I think there is considerable money out somewhere; the horses must have sold for more than that; I think when they sold them they just gave us back whatever they saw fit; at least, that is the way it looked to us.

Q. How many horses did they leave you; enough for your own use?—A. I think some families have two horses in the family and some have three. They are principally the pair of Nez Percés horses given us after the capture of the Nez Percés' herd.

Q. What would you do if you were to go back to that upper country; how would you live up there?—A. If we could go back north, we should expect to join General Miles's post, where we left forty lodges of our people, and where Little Wolf has since gone and joined them. If we could be allowed to go there, we would do anything the government would want us to; but we would like very much to be allowed to hunt buffalo, as we were allowed before. General Miles allowed us to go on several buffalo hunts; but, if we could not hunt buffalo, we would still be glad to go and do anything the government would ask us to do. We have children up there and other relatives, and we do not like to be separated from them. That country is our home, and we do not feel happy to be kept so far away from it, and to think that we shall never see it any more.

Q. Why were not all the Cheyennes sent down here?—A. Part of them General Miles was allowed to retain, because they are still scouting for him. There are about thirty men scouting for him, and on that account the families of these thirty men are allowed to remain there. He wanted to keep all, but was not allowed to keep any but the families of those he kept as scouts. Since then three of the young men who were acting as scouts have been killed, in the last fight with the Sioux. One of those young men I knew very well.

Q. Do you get enough to eat here?—A. We came here last winter, and there has not been an issue of rations at any time yet when we have had enough to eat. The sugar has never been over a handful for a week, and much of the time there has been none at all.

Q. How has it been with regard to the beef and flour?—A. Where there are ten families together, they get only about a peck of flour for a week.

By Mr. MORGAN:

Q. Has not corn-meal been issued?—A. They have been issuing, in place of flour, some yellow corn-meal; but corn-meal never did agree with Indians; it stirs up their bowels and makes them sick. I do not think it was ever intended for Indians to eat. I have been to Washington, and said to them there what I have told you now. I hope, when you gentlemen go there again, you will repeat to them what I have said, and that it may result in benefit to us.

By Mr. PLUMB:

Q. How has it been with regard to beef?—A. We were raised on beef—or buffalo meat, which is the same thing. We have been accustomed to eating a great deal of it; but since coming here we have never had enough of it to eat. It was bad enough when we had one beef to thirty or thirty-five Indians; now that we have only one beef to forty or forty-five, it is not near enough. That is all that is given us for a week, and it is eaten in three days, or two.

Q. Are not the beeves now issued larger than those formerly issued?—A. They tell us that the cattle we are getting now are larger than those we used to get before we went to Washington, but I cannot see that they are any heavier, and I am sure they are not in as good order.

Q. Has any clothing been issued to you?—A. There has been clothing issued, but was a very poor issue—a poorer one than we ever received before.

Q. Is less food issued to you now than used to be issued to you at Fort Keogh?—A. It does not compare with the amount of rations that were issued to us at Fort Keogh. We never went hungry any day there; here we get hungry two or three days every week. There we did not have canvas issued for our lodges, but we were allowed to go and hunt buffalo for skins for our lodges whenever we wanted to.

By Mr. PLUMB:

Q. Do you have no lodges here?—A. We have canvas lodges here, but no buffalo lodges. When we were allowed to go buffalo hunting from Fort Keogh a guard of troops, ten soldiers, was sent with us. We never made any trouble with the white people; we had plenty to eat. I was in good condition then; now, look and see how poor I am growing since I came down here.

Q. If you have planting and plowing and other work to do, after hunting gives out, in order to live, why not do it here as well as anywhere else?—A. Because that is a better country to live in for everything. If I had to plant or plow, or do anything, I would sooner do it up there than down here.

Q. Would you not feel less objection to staying here if the rest of the Cheyennes were down here?—A. I would much rather join them up there; the people up there are already opening up their farms, and have raised pretty good crops, and know how to do farm work, and would show us how; I would be willing to undertake it as soon as I got there.

By Mr. MORGAN:

Q. Is there more rainfall there than here?—A. It rains there much more frequently than here; the grass and vegetation never dries up in the hot, scorching sun as it does here. They never have any such droughts there as they have in this country.

Q. Would you not be afraid of going back there among the Sioux?—A. I would have no hesitation on account of the Sioux; I would be glad to go up there and live at Tongue River; I would be willing to serve a while in any wars against the Sioux; I am not afraid of the Sioux.

Q· Do all of your band feel as you do about this matter of staying here?—A. The hearts of all my people are just like mine; I speak the sentiments of all my people; we all would rather be among those mountains and streams where we were raised from the time we were old enough to remember anything than to stay in this country, and be compelled to stay here.

Q. Is your band on good terms with the Southern Cheyennes, as a band?—A. We do not get along very pleasantly with these other Indians; we do not fell good to be among them. I hear that the Indians that ran away from here, the Dull Knife band, did not agree with the Southern Cheyennes who were here before. There have been bad words between my band and the Southern Cheyennes. God never gave this southern country to the northern Indians; He never intended it for them to live in. The northern Indians can never be healthy here. Ever since I can remember the Southern Cheyennes have been here, and my people have been up north. We never expected to live with these Southern Cheyennes.

Q. Is that a mountainous and woody country, or is it a level country, like this?—A. There are a great many mountains there, but there are a great many very pretty valleys, and plenty of grass, that horses get fatter and stronger than they will on the grass here. That is a better country than this for stock.

Q. How about the winters there; are they very cold?—A. The winters are longer there, and the weather is colder and there is more snow; but that is what we are raised on and we like it; we were never sick there.

Q. Did you stay on the hills in the winter among the snow, or did you go down into the valleys?—A. We generally camp in the valleys of the Tongue River and the Powder River, in the timber. We never suffer from cold there at all in the winter.

By Mr. DAWES:

Q. Are you and your band on good terms with Standing Elk and his band?—A. We do not mingle together pleasantly with that band; my people all want to go back to their native country, while that people have thrown that country away and decided to stay down here.

Q. Does Standing Elk and his band fare any better down here than you and your band?—A. There is no difference in the issue between the two bands; the Northern Cheyennes, the Southern Cheyennes, and the Arapahoes all fare alike.

Q. What makes Standing Elk and his band prefer to stay here while you and your band want to go away?—A. The people of his band have always had some relatives down here among these Southern Cheyennes. They had been thinking of coming here a long time before they did; they were predisposed in favor of this country.

By Mr. MORGAN:

Q. Are any of your band engaged in agriculture?—A. Three or four families of the band that came down here with me have begun to farm; those do not want to go back now.

Q. Then all your band do not want to go back north?—A. No; when I said that all my people wanted to go back north, I did not mean to speak of those who were engaged in farming.

Q. Are there any wagons in your band?—A. No, sir; none of them have received any wagons.

Q. Have they not received any agricultural implements?—A. They have not received anything in the agricultural line at all. I told the Secretary of the Interior, when I was in Washington, that I did not want to receive any of these things here, because I hoped some time to go back north, and then I would be glad to receive them there. I was also granted another request that I made; that was, that my band, the people under me, would not have to give their children up to go to school unless they wanted to.

Q. Why did you not want your children to be sent to school and educated?—A. Because I love my children, and do not want to see them made slaves of like many children over there, who have to chop wood and do other work. I do not want my children used like that, because I love them. Another reason I gave the Secretary of War for not wanting to receive any wagons was because I had no horses to work them, and there have been no horses issued to me yet.

Q. Are the women of the tribe bearing children here? Is the tribe increasing or diminishing?—A. A great many children have been born. I do not know whether more have been born than died or not. A great many have been sick; some have died, and some have got well. I have been sick a great deal of the time since I have been down here—homesick and heartsick, and sick in every way. I have been thinking of my native country and the good home I had up there, where I never was hungry, but when I wanted anything to eat could go out and hunt the buffalo. It makes me feel sick when I think about that, and I cannot help thinking about that. I like the white people up there better than I do the white people down here, too. I can get along with the white people up there; they appear more sensible people than the people down here. Every body knows us up there, and everybody treats us like brothers. I served with the soldiers up there, and they all knew me and treated me well. I can get along there much more pleasantly than here. For my part, I was never raised to be dependent on an agency at all; I was used to living by hunting all the time. It does not make me feel good to hang about an agency and have to ask a white man for something to eat when I get hungry.

By the CHAIRMAN:

Q. Is there anything more you would like to say before the examination closes?—A. I am glad you have come from Washington to talk with us. I hope that what you hear here you will carry to Washington and intercede for us there, that we may go back to the country God gave us in the North. I do not intend to go back there unless the government allows us to do so. I do not intend to act foolish; but I do want to go back to the country I was born and raised in. The interpreter here has traveled all the way down here with me from the Missouri River. He knows how I have behaved on the long trip, under very trying circumstances. We had our horses taken from us, and our arms taken from us after we had been promised that we might keep them on account of our services to the government; but we obeyed without making any trouble, and now I hope you will take pity on us, and do all you can for us.

Q. Is that all?—A. (After consultation with his companions.) One thing I would like to ask: I represent one northern band, and my companion here represents another band. We think our people would be very much pleased if you could have issued to us about three steers, so that they could have a feast while you are here.

The CHAIRMAN explained that the committee had no authority to order the issuing of anything.

N. A. MILES.

WASHINGTON, D. C., *April 26*, 1880.

General N. A. Miles sworn and examined.

By the CHAIRMAN:

Question. Please look at the testimony of Little Chief, on page forty-seven of the pamphlet containing the printed testimony taken in relation to the removal of the Northern Cheyenne Indians, and say whatever you may desire in regard to the statements made by Little Chief.—Answer. The history of that matter, ar nearly as I can remember, is this: Those Indians—Little Chief's band of the Northern Cheyennes—surrendered to me in the spring of 1877. They were given their choice—to surrender there, as prisoners of war, or to go to their agency and surrender at the agency. They were told that as long as they remained there and behaved themselves they would be well treated; and what disposition would be afterward made of them would depend entirely upon the authorities at Washington. They remained there during that spring and summer. I used a few of them—three of them, I think—as guides; their knowledge of that country was very valuable to me at that time. I found that they rendered me good service.

Later in the fall, when I made a campaign after the Nez Percés, I took thirty of them along as scouts. They made excellent scouts, and rendered very good service. Two of them were wounded in that fight. In the mean time, after their surrender, I took away the most of their war ponies and sold them, and bought cattle with them. I required them to surrender their arms. Occasionally I would allow a party of them to go out to hunt buffalo; and when it was necessary I would loan them the few arms required. I sent them out in charge of an officer or sergeant, and a squad of men.

In the engagement with the Nez Percés we captured a large number of horses, ponies, and mules—about eight hundred altogether. I gave the men that were engaged in that fight about five ponies apiece, I think, as a reward for their services.

After we came back to the Yellowstone, and had remined there a short time, I received an order to send the Nez Percés to Fort Lincoln; also to send all the Indians at Fort Keogh to Fort Lincoln. This included Little Chief's band. I afterward got permission to retain about thirty families, as I needed them for scouts and guides. The Indians took the order to go to Fort Lincoln very hard; they were very much opposed to being sent away from that country. They pleaded for a week to remain, during which time the command was getting ready to escort them.

Q. Where is Fort Lincoln?—A. About three hundred miles east of Fort Keogh, Montana, where they were; it is at the terminus of the Northern Pacific Railroad. The order to remove them was peremptory, and had to be complied with. I informed them that they had better go peaceably, because I had no discretion in the matter. They remained there the remainder of the autumn and winter.

Q. At Fort Lincoln?—A. Yes, sir; at Fort Lincoln. In the spring Little Chief got permission to come up to Fort Keogh to see some of his relatives and friends that remained there; he had been in the mean time informed that he must go down to the Indian Territory. He came to see me and inquired of me whether there was not some way in which he could remain in the northern country. I told him that he must comply with the order, whatever it was; that he had better make no resistance, but go peaceably and keep his band together—not allowing them to commit any depredations or to break away. By doing so, I told him, he would at least earn the good will of the authorities; and then any request that he might make would be received with more consideration than if he should attempt to resist, or if any of his people should break away. I told him I believed that the authorities would consider the fact that they had behaved well, and that some of them had rendered good service in the campaign against the Nez Percés. Besides I told him he might not find the Indian Territory so disagreeable as he feared it would be; it would do no harm, at least, for him to go down there and try it, and he might like the country better than he thought he would. I finally told him that if he found that he could not live there, if he found that it was a country unsuited to him and to his people, the best thing he could do would be to ask to be allowed to return to the North. That is the only difference that I see between his statement and my recollection of the conversation that occurred between us on that subject. He states that I informed him that he could go back north. My statement is that if he found that he could not live there, the best thing he could do would be *to ask* the President to allow him to go back. I, of course, had no authority to tell him that he could go back; no subordinate officer had.

As to the arms that he speaks of, I do not know that they had any arms when they left Fort Keogh; I do not think they had; they had a few ponies that I had allowed them to retain, of no particular value to any one but themselves; also those that I gave them after the herd was captured from the Nez Percés. A portion of the money that was received from the sale of ponies that Little Chief's band surrendered was held for them, I think, for nearly two years. I wrote several communications about it, and requested the authorities to direct me to send it to some officer in the Indian Territory, in order that it might be expended for cattle. A portion of the money that belonged to the band that remained on the Yellowstone was expended for a herd of cattle, which they have now.

I will add that I at the time regarded the order sending these Indians down to the Indian Territory as unfortunate and the movement unwise. Those of the same tribe that remained north have for more than two years supported themselves, without receiving any aid from the government except what they earned. And a more contented, loyal band of people cannot be found in the United States.

Q. Where are they now?—A. At Fort Keogh, Montana.

Q. Where is that?—A. On the Yellowstone River, near the center of Montana.

Q. What are they doing?—A. They are taking care of their cattle, cultivating fields of corn, raising vegetables of every kind that they require. A few of them are employed as scouts and guides. And then occasionally they are allowed to go out and hunt buffalo, and gather meat enough to keep them in food. When they first came in they were in a very destitute condition; now they are as comfortably fixed as any Indians that I know of.

Q. Do they cultivate the ground by their own labor?—A. Yes, sir.

Q. To what extent and with what success?—A. The small band of Indians there have raised more out of the ground, according to the reports that I have received, than the Indians at Spotted Tail and Red Cloud Agencies, where the government has been spending millions of dollars.

By Mr. **Dawes**:

Q. What is the number of these Indians of whom you are now speaking?—A. About four hundred.

Q. They are a part of the Northern Cheyennes?—A. Yes, sir; a part of the tribe that surrendered when Little Chief's band surrendered.

Q. They never went down to the Indian Territory?—A. No, sir; and for more than a year I have had Little Wolf's band, who did go down to the Indian Territory, but ran away and went through Kansas and Nebraska and committed so many depredations and made so much trouble. They have been there for about a year and a half. They are doing the same as the others.

Q. How many are there of them?—A. About thirty men, besides the women and children.

Q. Do they seem to be satisfied and contented there?—A. Perfectly contented and perfectly well satisfied. They say they would rather die than to be sent back to the Indian Territory. After they were disarmed something was said about their going back to the Indian Territory, and they said they would rather die where they were; that we might commence killing them at once.

By the **Chairman**:

Q. Do they understand that they live under the constant liability of being sent back there if they do not behave well?—A. Yes, sir.

Q. Do you think that has any restraining influence on them?—A. I do not think it has.

Q. You think that they behave themselves well because they are contented?—A. Yes, sir; because they are living in a country that is suited to them. They say that they tried to live in the Indian Territory as long as they could, but that they were sick all the time, and that many of them perished from sickness. They buried fifty of their people, and made up their minds that they had all got to die if they remained there. So they broke away, saying that they might as well die by the bullets of United States soldiers on the road as to die there.

Q. Have they a reservation of their own where they are now?—A. No, sir; they have no reservation. But recently I made a recommendation for them to be attached to the Assinaboine Agency, on the Missouri River, and it has been granted.

Q. Is the country where they are located one that will probably be desired by the whites eventually?—A. Well, yes; the same as every other spot of ground that I know of belonging to the Indians in the United States.

Q. It is an agricultural country?—A. Yes, sir.

Q. Are the buffalo disappearing from that part of the country?—A. Yes, sir; but before the buffalo are gone, their cattle will increase in sufficient numbers to support them.

Q. Do they take good care of their cattle?—A. Yes, sir; they take the same interest in them and take as good care of them as of their ponies.

Q. Please explain about the cattle—how they came by them, how they keep them, whether in severalty or in a herd belonging to the band in common.—A. The cattle were bought with the money received by the sale of the surrendered ponies, as I have already mentioned. I sent an officer with a few men, a small party of Indians, to

Western Montana, and there they have bought about a hundred head. These cattle were divided and branded and given to the Indians by families. They were branded so that each would know his own stock. Since that time the herd has increased, and the Indians take as much interest in them as they do in their ponies, their clothing, or their lodges.

Q. Each family owns its own cattle and its own horses?—A. Yes, sir; and the ground is divided off into sections or lots and allotted to each family. I detailed a soldier—a farmer boy from Illinois—to superintend and take charge of that work.

General Miles speaks of the surrender of Little Chief and his band to him in the spring of 1877 as prisoners of war, and so General Crook and General Mackenzie speak of the surrender of the Northern Cheyennes at Camp Robinson. This was only a nominal capture, and the Indians were treated as prisoners of war because the Army could not hold or provide for them in any other character. They were treated as prisoners of war, but those at Camp Robinson were given the option to go with the Sioux who were ordered to the Missouri River, or to the Indian Territory. They chose the latter alternative, but accepted it with great reluctance, preferring to remain in the Sioux country. Cheyenne Indians had been running to and from the Indian Territory, and had formed a bad opinion of the country as being unhealthful and destitute of game.

It does not appear where Little Chief was on the 28th of February, 1877, when the agreement with the Sioux and the Northern Cheyennes and Arapahoes was ratified by Congress, nor does it appear that his band ever consented to that agreement.

The transfer of the Northern Cheyennes to the Indian Territory was attended with much fatal sickness. It is the same story that has been repeated in a dreadful fatality in every case where Indians from a northern climate have been removed to the Indian Territory. Those who came in 1878 suffered as severely as those who came in 1877, notwithstanding the better provision that had been made in the way of medical supplies and rations in the later period. It was the change of climate and water that rendered the sickness so universal and so fatal. Both in 1877 and in 1878 the government had failed to provide a sufficient supply of medicines. Where the fault rests is not a matter of so much consequence as that it existed. The results were the total dissatisfaction of the immigrants with the country and with the government. This was neither an unreasonable nor an unjust dissatisfaction.

In 1876–'7 the supply of rations was short. Nine months' supply of food was provided for twelve months' sustentation. The government expected the Indians to eke out this allowance by hunting buffalo. The Indians belonging to the hunting parties supported life by the chase from November, 1876, to March, 1877, but horse thieves robbed them of many of their horses. The supply of rations was short in 1877–'78, wanting from one-fourth to one-third of the treaty allowance. This was doubtless the result of a miscalculation, based on the supposed ability of the Indians still to provide for the deficiency by hunting, and much of the food was of very poor quality.

"About the 15th of November, 1877 the majority of the Indians (the whole number being 5,054) left the agency on the usual annual hunt." This hunt was almost an entire failure; but few buffalo were found, and the Indians were compelled to subsist on their horses. Relief parties were sent out for them, who brought them into the agency in a starving condition. The few robes they had taken enabled them to purchase some food, but the rations due them while on the hunt were never furnished. The food supply for 1878–'79 was more abundant, but was never up to the treaty-stipulations, and the issues were irregular and unequal.

In August, 1878, the sanitary condition of the Indians is thus described by Agent Miles, in his report to the Commissioner of Indian Affairs:

> The intense heat of the present summer has had the effect to increase the mortality, and it is no exaggerated estimate when the number of sick people on the reservation is placed at 2,000. Many deaths have occurred which might have been obviated had there been a proper supply of anti-malarial remedies at hand. Ninety-five ounces of quinine were received in advance of the annual supply and was consumed in less than ten days. The success of the agency physician has been gratifying, and the only cause of ill-success has been due to the lack of medicines. Hundreds applying for treatment have been refused medicine, and the result has been a resort to their native medicine and the perpetuation of their superstitious rites.

This picture of the distress of the Indians from sickness is not up to the reality. One physician to two thousand sick Indians camped at points distant from each other, with no proper medicines for their relief, is so inadequate a supply that it can only be characterized as inhuman, especially when the Indians were afflicted with diseases that had never before appeared amongst them, and were exposed to the hot sun of the southern prairies without any shelter except their canvas tents. The physician could not speak their language, and they had little or no instruction in nursing the sick, and could not properly administer the few medicines furnished them.

The agent and the physician did all in their power by the use of mails and telegraph to relieve against this suffering, but their requisitions were treated with neglect and indifference.

The Commissioner of Indian Affairs, in his report of November 1, 1878, speaking of what he calls the "Northern Cheyenne raid," says:

> On the 9th of September of the present year, a party of about 300, under Chief Dull Knife, including 87 warriors in all, started out from the agency with the determination to return northward and join their old friends, the Sioux.
>
> Their agent states that they have never been satisfied since they arrived at the agency; that the Dull Knife band were displeased with the system of issuing rations to heads of families and individual Indians, and that the soldier element of the tribe had at first compelled their women to place in one pile the supplies which had been dealt to them, and having taken to themselves the lion's share, left the rest to be divided as they saw fit. He states that they have always been defiant, claimed that they did not enter into the agreement of September 26, 1876, and said that they would remain at the agency as long as they chose, and no longer; that they have been a great drawback to the advancement of the rest of his Indians, and have displeased those of the Northern Cheyennes who still remain at the agency. He denies *in toto* the statements which have been made, that for lack of provisions they have been obliged to eat diseased meat, and affirms that there was really no good cause for dissatisfaction on their part. As it has been charged that they were dissatisfied, and left the agency on account of scant rations and to avoid imminent starvation, a few facts concerning the subsistence supplies which have been furnished them will not be amiss.

This part of the Commissioners statement, viz, "He denies *in toto* the statements which have been made, that for lack of provisions they have been obliged to eat diseased meat, and affirming that there was really no good cause for dissatisfaction on their part," is not supported either by the annual report of Agent Miles or his testimony. To the reverse, he testified before the committee as follows:

By Mr. MORGAN:

Q. When did you first come this agency as Indian agent?—A. I think I took charge of this agency on the 1st of June, 1872.

Q. At that time you took the Southern Cheyennes and Arapahoes under your charge?—A. Yes, sir.

Q. I understood you to say awhile ago that, during all the time the Indians have been here, they have complained that their rations have been insufficient?—A. They have; very frequently.

Q. In making up your estimate for rations to be provided for the Indians, do you estimate for the full fiscal year, or for so many months?—A. For the full fiscal year.

Q. For full rations according to law?—A. For the established rations.

Q. Were those rations supplied to you by the government?—A. No, sir.

Q. Why were they withheld?—A. I have always understood it was on account of the funds being exhausted.

Q. How many months in each year have they been withheld, taking the whole time; about what percentage of rations has been withheld?—A. Take a year, or two or three years, and I could give you just what it was; but it would be mere guesswork to say what per cent.

Q. Would the shortage amount to as much as three months in each year?—A. Yes, sir.

Q. How has that deficiency been supplied, if it all?—A. Usually, by these Indians being absent; it has run from three to five months. When the buffalo were here I sent the Indians out on a hunt, and what buffalo they brought in would partly bridge over the deficiency. The sale of their robes would also help them out. For three years before this the deficiency was bridged over by dressing hides for the traders.

Q. In other words, the Indians, by their personal labor and by hunting, would eke out the shortness of their allowance when the government failed to provide full rations?—A. Yes, sir.

Q. Has there been any difficulty during that time to get contracts to furnish supplies of meat, flour, corn, bacon, &c., if the funds had been on hand for the purpose of buying?—A. I think not.

Q. The supplies were within reach if you had had the means to purchase?—A. Yes, sir. We do not purchase the supplies, however; we merely estimate the amounts needed of the several articles, and they are supplied to us by the Commissioner of Indian Affairs.

Q. Is there any longer any reliance to be placed upon buffalo as a source of supply?—A. I do not think there is.

Q. How long since the Indians could have supported themselves, or supplied themselves with food by hunting the buffalo?—A. Three years; for the past three years, taking into account the wear and tear of their lodges, the loss of camp equipage, and of ponies, they have come back worse than they went out. They have lived, and that is about all.

Q. Has it been the policy, when the supply runs out, to send Indians on a buffalo hunt, or has it been the policy to try to distribute the allowance for nine months over the whole period of twelve?—A. I think I have made use of both means.

Q. You have held back the rations?—A. No, not held them back; that is, not withheld them entirely. I have distributed them so as to let them run as far through the fiscal year as possible when we were short of supplies at the agency.

Q. But the Indians have never, in fact, received more than nine months' rations out of the twelve?—A. I think not.

In several other important particulars, such as the distribution of annuity goods, money, cattle, farming utensils, &c., and in building houses for the chiefs, and in placing the Indians on different lands from those granted them in the treaties, the government had not complied with its treaty obligations towards the Cheyenne and Arapahoe Indians.

It is impossible to say that these were or were not the causes that led three hundred Indians in a body to escape from the Territory and to return to Dakota. They were doubtless provoking causes to that hegira, but the Indians were also strongly impelled by a longing desire to return to their native country, and by a feeling of disgust towards their new location. It is, however, proper to say here that the three hundred Indians who thus escaped comprised only about one-third of the band of Northern Cheyennes who first went to the Indian Territory, and that while the one-third who escaped were, from their first arrival, discontented, the other two-thirds were, from their first arrival, and have ever since been, content with their present location. The same facts exist as to the second band of Northern Cheyennes of which Little Chief's band is a part. A portion of them are well contented, and a portion under Little Chief were from the first, and are yet, discontented and will probably remain so. Truth and justice require that it should be said that these Indians did not leave the Indian Territory on a maraud, but only with the intention of escaping to their former home.

They went away prepared to fight, but they did not fight until the United States troops attacked them. Then they fought with desperation and success. They had their families with them. When their flight was thus converted into a running fight, they displayed all the fiendish cruelty of Indian warfare, and murdered the peaceful inhabitants of Kansas to the number of over forty men, women, and children, and outraged some ten or more women. They stole horses and cattle and other property from the people as they passed through Kansas.

While nothing could justify or excuse such atrocities, they have been so frequently the result of Indian outbreaks that they are expected by the people and the government. They have grown to be a part of the historical results of our Indian policy. The government, either from a conciousness of its bad faith in keeping treaty obligations with the Indians, or from an indecisive policy in subjecting them to punishment for their crimes through the civil tribunals of the United States, has permitted the savage murders and rapine of the Indians to be classed as acts of war, and have allowed the perpetrators to share the impunity accorded to such acts in times of public war, until it has become a saying amongst them that the worst Indians receive the best treatment. Six of the leaders of this band of 300 savages were arrested and turned over to the civil authorities of the State of Kansas, but for some cause a *nolle prosequi* was entered in the cases of the indictments against them, and they were released. The punishment inflicted upon others of them by the military authorities at Camp Robinson, after they had surrendered, is described as follows by the Commissioner of Indian Affairs in his report of November 1, 1879:

THE REMNANT OF DULL KNIFE'S BAND.

In the last annual report of this bureau mention was made of the desertion of a party of about three hundred Northern Cheyennes, under Dull Knife, from the Cheyenne and Arapahoe Reservation in the Indian Territory, in September, 1878, and of the fact that on their way through Kansas they murdered more than forty men, women, and children, and committed other outrages. At the date of said report the portion of those Cheyennes who had surrendered to the military were held as prisoners at Camp Robinson, Nebr., and the War Department had been requested to send them to Fort Wallace, Kans., in order that the civil authorities of that State might identify and properly punish the parties guilty of crimes committed in the raid through Kansas.

The headmen of the Cheyennes then in confinement at Fort Robinson were notified by the military on the 3d of January that the authorities in Washington had decided to send them back south. On the next day, after consultation with the rest of the captives, Wild Hog, as spokesman, gave an unequivocal negative to the proposition, declaring their intention to die before complying with the order. The prisoners numbered at this time forty-nine men, fifty-one women, and forty-eight children. *It was then attempted to starve and freeze these captives into submission, and for five days they were deprived of food and fuel, and for three days of water also.* This experiment proving ineffectual, on the 9th of January it was decided to arrest Wild Hog as the leader of the opposition. He was with difficulty *induced to come out of the prison*, and after a struggle, in which a soldier was stabbed, he was ironed. Upon this the Indians in the prison barricaded the doors, covered the windows with cloth to conceal their movements, tore up the floor, and constructed rifle-pits to command all the windows.

As early as November 1, 1878, Red Cloud had requested that their knives be taken from these prisoners to prevent them from taking their own lives in case they should be ordered South. This, however, appears not to have been done, neither had they been wholly disarmed, for they were the possessors of at least fifteen guns (in addition to the two obtained from the dead sentinels) and some revolvers, and were well supplied with knives.

About 10 o'clock on the night of January 9 the Indians commenced firing upon the sentinels, killing two and wounding a corporal in the guard-room, and made their escape through the windows, the women being driven in front of the men in their flight. They were pursued by the troops, and most of their number were eventually killed. The survivors were taken to Kansas for the identification of those who had been accused of murder and outrage, and Wild Hog and six others were indicted in the courts of that State. When the case was called, a *nolle prosequi* was entered, thereby dismissing the case; the prisoners were set at liberty, and they accompanied their agent to the Indian Territory.

The statements of Wild Hog and Crow in relation to this affair are more in detail than that of the Commissioner, and contradict his statement in some particulars. They were more than three hundred miles apart when they were examined and had no means of communication. In the main facts they agree with the Commissioner, viz, that the refugees had surrendered and were under guard in the soldiers' barracks at Fort Robinson; that they were extremely averse to going back to the Territory; that it was midwinter, and they were thinly clad; that their consent to immediate removal was demanded; that the requirement was not complied with; that it was determined to starve and freeze them into submission; that men, women, and children were accordingly starved for five days [the Indians say that it was six or seven days], during which time they were allowed no food, and for three days no water, and no wood for fires; that their chiefs, Wild Hog and Crow, were enticed into the quarters of the commanding officer of the fort, on a pretense of having a talk with them; that they were seized and shackled; that Wild Hog, in an attempt to take his own life, wounded one or more of the soldiers around him with his knife; that during the night of that day, the 9th of January, 1879, the Indians in the barracks broke through the guards, killing two of them, and made an attempt to reach the hills; that men, women, and children were killed, until only a few remained alive. There were 49 men, 51 women, and 48 children in all; Wild Hog says that Dull Knife escaped, and that these six men (then sitting near him), and Old Crow and Dull Knife are all the men that remain of that band, which numbered a hundred and fifty-five when they surrendered; but he says there are fifty women and children left up north, besides some women and children that were sent below. Old Crow says that he saw twenty-two women and children who were killed at Camp Robinson; so that about one hundred Indians were killed. The massacre was in every sense discreditable, and was without justification, except that it resulted from orders given at a great distance from the scene of action, and the orders were imperative that the Indians should be then removed. The weather was then of extreme severity.

The process of starving and freezing women and children, *in order to compel men into obedience*, is not justifiable in the eyes of civilized men. The outbreak was a most daring and desperate choice of alternatives, which the Indians expressed in the following language: "We have got to die, but we will not die here like dogs; we will die on the prairie; we will die fighting." It is not intended to assert that the killing of the Indian women and children by our soldiers was wanton or intentional. From the Indian mode of dress it is very difficult to distinguish women from men, as they all dress substantially alike. In their escape from Camp Robinson, the fleeing Indians in the night-time were all together—men, women, and children—making it impossible to distinguish them. The men were armed, and were firing upon the soldiers, and the soldiers had the alternative of permitting their escape without effort to prevent it or to return and keep up the fire upon them. In this way it happened that the women and children were killed. Women and children, along with the men, were starved and frozen until they sought relief in escaping from prison at the risk of almost certain death, and we cannot, under the circumstances, justify their slaughter, even if it was at the moment necessary to prevent their escape. Little Wolf and Dull Knife remained in Dakota, and their condition there is fully described by General Miles in his testimony above quoted.

The condition of the Cheyennes and Arapahoes who were raised in the south is by no means so good either in respect of their contentment or prosperity as is that of the Cheyennes who are still in the north, as described by General Miles; while the condition of those who emigrated to the Indian Territory from Dakota is far worse in every particular. Some of them have the sort of contentment that results from apathy and indifference to suffering when all hope of change for the better is extinguished, while others, like Little Chief's followers, are constantly laboring under the sense of being unjustly treated, and are morose and sullen. It is not to be reasonably expected that this dissatisfaction will ever be entirely removed as to the adult Indians of this band, while they feel that they have been unjustly banished from their native land. The government must choose the alternative of forcing them to submit to a life-long imprisonment, under which they will resent and resist all efforts to civilize them, or else allow them to return North and unite with their kindred there in their voluntary and successful efforts to become self-supporting, and share in their contentment. The feelings of these Indians in reference to their banishment from their native country are best expressed in their own graphic and earnest language, taken from the record of their examination before the committee. Wild Hog speaks as follows:

Q. How many children got sick and died?—A. Between the fall of 1877 and the fall of 1878 we lost fifty children by sickness.

Q. What else, if anything, occurred to make you dissatisfied with that country?—A. We could not forget our native country anyway—wherr we grew up from childhood, and knew all the hills and valleys and creeks and places we had hunted over; where the climate was cooler, the air purer and healthier, the water sweeter and better, than in the southern country to which we had been sent by the government; and finding that the promises which had been made to us by the government were not fullfilled, that instead of being better than the land we had left, everything was so much worse, we got homesick for our own country again.

Wild Hog's wife says, in answer to the question:

Q. Is there anything you would like to say to the committee?—A. I have felt good that you have come and have sent for me, and have talked with me. I wish you would do what you can to get my husband released; I should like very much to have him released, as I am very poor here and do not know what is to become of me. If he were released, he would come down here and we would live together quietly and do no harm to anybody and make no trouble. But I never should get over my desire to get back north; I should always want to get back where my children were born and died and were buried; for that country is better than this in every respect.

Little Chief says, in answer to questions put to him:

Q. What would you do if you were to go back to that upper country—how would you live up there?—A. If we could go back north, we should expect to join General Miles's post, where we left forty lodges of our people, and where Little Wolf has since gone and joined them. If we could be allowed to go there, we would do anything the government would want us to; but we would like very much to be allowed to hunt buffalo, as we were allowed before. General Miles allowed us to go on several buffalo hunts; but, if we could not hunt buffalo, we would still be glad to go, and do anything the government would ask us to. We have children up there, and other relatives, and we do not like to be separated from them. That country is our home, and we do not feel happy to be kept so far away from it, and to think that we shall never see it any more.

Q. Do you have no lodges here?—A. We have canvas lodges here, but no buffalo lodges. When we were allowed to go buffalo-hunting from Fort Keogh a guard of troops, ten soldiers, was sent with us. We never made any trouble with the white people; we had plenty to eat. I was in good condition then; now, look, and see how poor I am growing since I came down here.

Q. If you have planting and plowing and other work to do, after hunting gives out, in order to live, why not do it here as well as anywhere else?—A. Because that is a better country to live in for everything. If I had to plant or plow, or do anything, I would sooner do it up there than down here.

Q. Would you not feel less objection to staying here if the rest of the Cheyennes were down here?—A. I would much rather join them up there; the people up there are already opening up their farms, and have raised pretty good crops, and know how to do farm work, and would show us how; I would be willing to undertake it as soon as I got there.

By Mr. MORGAN:

Q. Is there more rainfall there than here?—A. It rains there much more frequently than here; the grass and vegetation never dries up in the hot, scorching sun as it does here. They never have any such droughts there as they have in this country.

Q. Would you not be afraid of going back there among the Sioux?—A. I would have no hesitation on account of the Sioux; I would be glad to go up there and live at Tongue River; I would be willing to serve a while in any wars against the Sioux; I am not afraid of the Sioux.

Q. Do all of your band feel as you do about this matter of staying here?—A. The hearts of all my people are just like mine; I speak the sentiments of all my people; we all would rather be among those mountains and streams where we were raised from the time we were old enough to remember anything, than to stay in this country and be compelled to stay here.

Q. Is your band on good terms with the Southern Cheyennes, as a band?—A. We do not get along very pleasantly with these other Indians; we do not feel good to be among them. I hear that the Indians that ran away from here, the Dull Knife band, did not agree with the Southern Cheyennes who were here before. There have been bad words between my band and the Southern Cheyennes. God never gave this southern country to the northern Indians; He never intended it for them to live in. The northern Indians can never be healthy here. Ever since I can remember the Southern Cheyennes have been here, and my people have been up north. We never expected to live with these Southern Cheyennes.

Q. Is that a mountainous and woody country, or is it a level country like this?—A. There are a great many mountains there, but there are a great many very pretty valleys and plenty of grass, that horses get fatter and stronger on than they will on the grass here. That is a better country than this for stock.

Q. How about the winters there; are they very cold?—A. The winters are longer there, and the weather is colder and there is more snow; but that is what we are raised on and we like it; we were never sick there.

Q. Did you stay on the hills in the winter, among the snow, or did you go down into the valleys?—A. We generally camp in the valleys of the Tongue River and the Powder River, in the timber. We never suffer from cold there, at all, in the winter.

Q. Why did you not want your children to be sent to school and educated?—A. Because I love my children and do not want to see them made slaves of, like many children over there, who have to chop wood and do other work. I do not want my children used like that, because I love them. Another reason I gave the Secretary of War for not wanting to receive any wagons was because I had no horses to work them, and there have been no horses issued to me yet.

Q. Are the women of the tribe bearing children here? Is the tribe increasing or diminishing?—A. A great many children have been born. I do not know whether more have been born than died or not. A great many have been sick; some have died, and some have got well. I have been sick a great deal of the time since I have been down here—homesick and heartsick, and sick in every way. I have been thinking of my native country and the good home I had up there, where I never was hungry, but when I wanted anything to eat could go out and hunt the buffalo. It makes me feel sick when I think about that, and I cannot help thinking about that. I like the white people up there better than I do the white people down here, too. I can get along with the white people up there; they appear more sensible people than the people down here. Everybody knows us up there, and everybody treats us like brothers. I served with the soldiers up there, and they all knew me and treated me well. I can get along there much more pleasantly than here. For my part, I was never raised to be dependent on an agency at all; I was used to living by hunting all the time. It does not make me feel good to hang about an agency and have to ask a white man for something to eat when I get hungry.

By the CHAIRMAN:

Q. Is there anything more you would like to say before the examination closes?—A. I am glad you have come from Washington to talk with us. I hope that what you hear here you will carry to Washington and intercede for us there, that we may go back to the country God gave us in the north. I do not intend to go back there unless the government allows us to do so. I do not intend to act foolish; but I do want to go back to the country I was born and raised in. The interpreter here has traveled all the way down here with me from the Missouri River. He knows how I have behaved on the long trip, under very trying circumstances. We had our horses taken from us, and our arms taken from us after we had been promised that we might keep them on account of our services to the government; but we obeyed without making any trouble, and now I hope you will take pity on us, and do all you can for us.

The most enlightened and heroic men of our own race are as deeply moved by such feelings of love for their native country as are these wild Indians, and we must not expect, therefore, that any degree of civilization will ever cause them to cease repining at their banishment. In estimating the prospect of civilizing these Indians, and of their becoming self-supporting in their present location, the first and leading inquiry must relate to their contentment. Without this, and unless they can be made to feel that the Indian Territory is a home to them in the sense of their being attached to the country, it is by no means probable that they will ever strive to gain the independence of feeling that leads men to work for their own living. If they are compelled to accept a prison as a home they will naturally prefer to compel the keepers to feed and clothe them. They will remain pensioners upon our humanity, having lost all pride of character and all care of anything except to live.

The committee have no confidence in the belief that Little Chief and the adult Indians of his band will ever be reconciled to their new home, and they concur with Colonel Mizner that these Indians will always be an obstruction to the improvement of the other bands of Indians.

The theory of the treaties with the Cheyenne and Arapahoe Indians, and the policy hitherto adopted in their management and in reference to other tribes, is that in proportion as each Indian becomes self-supporting he loses the advantage of being supported by the government. This policy would fail with any race of people. It is a strong inducement and reward to abstain from all effort at self-support. With some more promising line of policy the effort to bring these Indians up to the capacity of self-support would not be hopeless.

The policy of congregating the wild Indians in large numbers in one locality is opposed to the measures that are necessary to be taken to meet the changed relations between the government and the Indians in consequence of the rapid growth and spread of our population. They are already surrounded and separated into limited districts by the intervening white settlements, and the time is near at hand when they must become members of the same communities with the white people. The government has already struck a fatal blow at the tribal relations by refusing to further recognize them as treaty-making powers. The tribal relation and the authority of their rulers is preserved only to a limited extent, and as a convenient means for their government. General Miles, whose experience has enabled him to fully understand this subject, gave the committee the following valuable information:

By Mr. DAWES:

Q. Are you, being an Army officer, at liberty to express your own private opinion as to the different policies or measures that have been discussed here in Congress? I do not wish to ask you any questions that will place you in an embarrassing position.—A. In regard to this band under consideration at the present time, I consider the banishment of a body of people from one section of country to another, from a cold region to a warm, malarial district like the Indian Territory, to be unwise, unjust, and cruel. It is like going to Quebec and taking a village of men, women, and children from there and removing them to North Carolina. The change is as great. They are a strong, hardy, northern race, accustomed to a cold, severe climate. The mercury has been as low as fifty-five degrees below zero up there this winter.

Q. What becomes of the cattle in such weather as that?—A. Nature seems to make provision for that; the hair grows longer and thicker upon all animals in cold regions than in warm; the hair of the buffalo is longer and warmer there than it is further south. The buffalo robes gathered in the north are better than in the south. Another thing: the country up there is broken, so that cattle can get shelter under the bluffs. The cattle get fatter in that country than they do in the south.

Q. Under the existing circumstances, do you think it would be advisable to return those northern Indians that are now in the Indian Territory to their former homes?—A. I think it would. I believe it would do no harm to do what seems right. Besides, I do not believe in the policy of taking all the Indians, from all parts of the country, and putting them in one locality. It congregates a great mass of savages in the heart of a civilized country, where they must necessarily give trouble during the present generation. It will take a large army to keep all the Indians in the Indian Territory, even if it could be done. And the trouble would not come to an end with this generation. A mongrel race would grow up there, and keep that section of country, and the surrounding country, in a state of constant turmoil. Where there are only a few Indians in a given section of country, they could be easily controlled by the Territorial or State courts. The Indians in Massachusetts, New York, and North Carolina, so far as I remember, have never given trouble to the people of the commonwealth where they live.

Q. What is your view of the proposition, which has been suggested by some, of the allotment of lands to the Indians in severalty?—A. I have always been opposed to this system of gathering together a large tribe, and holding them at one agency, and giving food to them at one place. It causes them necessarily to congregate and remain within a short distance in order to get their food every day, and all the evils follow which naturally result where an idle and indolent body of people are together. I think it would be much better to give them reservations, to separate them by families, and set them to cultivating little pieces of ground for themselves. Instead of issuing rations to them at the agency, I would send their food to them, or give them the money. In that way they would not be so apt to gather in one large camp, and remain there in a state of idleness, as they do now. I think it would be far better for the government to give them what it has to give them in money or cattle—giving them to the Indians in families. The cattle should be branded, so that each family could know what belonged to them, and so that if the cattle were stolen the thief could be detected. Let the Indians select places on their reservation, and have it understood to be their homes—whether they live in a tent or a palace does not make so much difference; but locate them. If you give them cattle, they will soon learn the value of property, which is to some extent the basis of civilization.

Q. Do they understand what it is to have property of their own, in the sense that civilized people do?—A. Certainly; they have clothing, arms, horses, and other property of their own.

Q. I mean in contradistinction to owning property as a clan or tribe.—A. I do not know that they have any property among themselves in their wild state in common.

Q. Take these Northern Cheyennes up there now in their present condition; would a family take one hundred and sixty acres of land in severalty and take care of it and cultivate it?—A. Certainly; there is no trouble at all about it.

Q. Do you think, from your knowledge of the Indians, that they would be generally willing to adopt the plan of having lands in severalty—the wild Indians, I mean?—A. Yes, sir. Of course you have got to approach that matter gradually. From barbarism to civilization is a gradual process. The savage is usually first a hunter, then a herdsman or shepherd; next he cultivates the ground. You cannot expect them at first to be satisfied with one hundred and sixty acres of land and nothing else when they have been accustomed to roam over a whole Territory.

Q. What would be the result of locating them on lands in severalty, with white men surrounding them—mixed in among them?—A. That would not work so well at first, because it is very difficult to overcome the prejudice between the two races. It would be better for them to locate on their reservations at first, and then, as they become civilized, they will be able to understand the force and benefits of the civil law—a difficult thing to make them understand.

Q. According to your idea, then, this thing must move slowly?—A. Yes, sir; gradually, but constantly.

Q. Constant in one direction?—A. Yes, sir; with a steady view of reaching the main object and end.

Q. What is your view of such schools as have been put in operation for their benefit at Hampton and Carlisle?—A. I think I was among the first to recommend that several years ago. The difficulty and disadvantage of having a school at an agency is this: you have got to keep the tribe there at the agency where the school is, or else separate the children from their parents. If you are going to separate the children from the older Indians, it would be better to let them go where they can see the benefits of civilization. In passing through the country, as they must, for instance, in coming to Carlisle or Hampton, they will see the power of the white race, and learn the advantages of civilization. Then, again, they are away from all the demoralizing influences of camp life. It is bettter to take the boys and girls, and teach them the English language and habits of industry and then let them go back with the new ideas which they have obtained by association with the white people. The Indians, so far as I know, are willing to do that. I have had many offers from prominent men in the Indian tribes, that have asked me to take their sons and send them East to have them educated. They see that the whites have power which they have not; that we have newspapers, and know how to manufacture everything needed, which they do not. Of course, if you take the children of prominent men who are soon to become chiefs themselves, headmen of the nation, who are to have control of affairs among them, you will gradually educate the whole tribe.

Q. Are these schools meeting your expectations?—A. Yes, sir. But they are only in their infancy. My recommendation was, to take a number of military posts, that were no longer needed because civilization has gone beyond them, and convert them into industrial schools.

Q. Like Carlisle Barracks?—A. Yes, sir; that is simply one that has been taken; there are several others that can be used.

Q. You think that that would be better than trying to do the same thing on the reservations?—A. Yes, sir.

Q. What do you think of having blacksmithing, shoemaking, carpentering, and other trades taught them on the reservations, making the agency schools to some extent industrial schools?—A. As regards teaching a trade at an agency, I never yet knew an Indian to learn the blacksmith trade in that way.

Q. But assuming that the blacksmith is as good a workman as he ought to be—a good one?—A. He may put shoes on the feet of the pony of some warrior that has been out on a raid and got his horse sore-footed. As a general thing, these mechanics about the Indian agency do not amount to much. But take five hundred or a thousand Indian boys and put them at a large industrial school, where they will learn the English language and be taught some useful trade at the same time, and when one of these boys goes back he will be of some use among the tribe.

Q. What is your idea as to whether the Indians, as a race, are increasing or decreasing in numbers?—A. The tribes that are peaceable, I think, are on the increase.

By the CHAIRMAN:

Q. Is there anything else that you see in Little Chief's testimony that you would like to explain?—A. I have mentioned the only point which I have seen that I think needs correcting.

By Mr. DAWES:

Q. What was the character of Little Chief?—A. He was a quiet, peaceable, well-behaved man while with me.

Q. Was he the first in authority?—A. No, sir; he was a subchief.

Q. Who was the first in authority?—A. Roman Nose and Little Wolf.

By the CHAIRMAN:

Q. There is one point which we would like to have explained. Of the first band of Northern Cheyennes that went to the Indian Territory, about two-thirds have been contented ever since they went down there; the other third are discontented, and constitute the band that went through Kansas and Nebraska under Dull Knife and Wild Hog and made trouble. Of the band that went down when Little Chief did, about the same portion are contented and one-third are discontented. Have you any information that will enable you to give any satisfactory explanation as to why this difference exists among the Indians, so that two-thirds of each band should be willing to remain, while one-third of each band are discontented?—A. Many years ago the Cheyenne tribe divided; a portion of them went south and have remained there ever since. I can account for the difference to which you refer in no other way than that perhaps the relatives of some of them, who were already down there, treated them hospitably and made it as comfortable as possible for them. That would naturally have a tendency to make them like it better down there.

Q. Did you know a chief among the Northern Cheyennes named Living Bear?—A. I do not know him.

Q. Living Bear and Standing Elk appeared before this committee at Fort Reno when these questions were asked and these answers given:

"Question. Why did you not go off with the other Northern Cheyennes when they left this part of the country to return to their northern homes?—Answer. We were told at the council at Camp Robinson, by Generals Crook and Mackenzie, that the President had given orders for us to come down here and live in the southern country; we intended to be obedient to the orders of the President, and so we did not go back.

"Q. Did you want to go back?—A We had no idea of going back any more; we did not want to go back after having come down here.

"Q. Do you want to go back now?—A. I have been satisfied here ever since coming down; when I first came down here the Southern Cheyennes met me, and took me by the hand, and told me they were glad I had come down; and I have felt at home ever since."

Now, those two men represent about two-thirds of the first band of Northern Cheyennes, and they are contented there to-day. The other third, who went north, you know all about. So in the band that went down, about two-thirds of them are satisfied, while the other third, under Little Chief, are very discontented, and I doubt whether they will ever become contented. I have wondered whether there was any reason for this.—A. I think it can be accounted for in the way I have mentioned. As Living Bear says, his friends down there met him, took him by the hand, and did everything they could to make it agreeable for him. The traders are always anxious to draw as large a crowd of Indians around them as possible, because it is money to them. They sometimes buy up the headmen by presents, in every way possible, to induce them to hold their people near them. I see no objection to those that want to remain there remaining there; but I see no reason for holding those there that are dissatisfied and desirous of returning north.

Your committee are of the opinion that the return of Little Chief and his immediate followers to Tongue or Powder River would be an act of justice, and a deserved reward for his faithful obedience to the law, or rather to the will of the government as enforced by its agents and military authorities. It would be an example also to the Indians which would tend to convince them that the concessions made to their wishes by the government are the consequence of their good conduct, and not, as many of them believe, a sort of bribe to prevent them from going on the war-path.

The other Cheyenne and Arapahoe Indians are better satisfied with their present location, and are consequently more within reach of civilizing influences; but none of them are in condition to become self-supporting for many years to come. The country occupied by them is not more fertile than that given to them in the treaties. It is dry and hot, and has but little good timber. It is suited to grazing rather than to agriculture. Irrigation on an extensive scale would be a costly work, and beyond the reach of the means or the skill of the Indians. It is probable that ditches could be constructed by the government which would irrigate a sufficient area to provide for the Indians ample grain crops; but all existing conditions of soil and climate indicate clearly that the chief reliance for food must be the raising of flocks and herds. The committee believe that these Indians who are satisfied with their present location are in the proper condition and in the right country for the systematic trial of this means of inducing them to improve their condition. The committee have not considered in detail the best plan of introducing this industry amongst them, but are satisfied that its success would depend largely, if not entirely, upon separating the numerous bands, so that each of them should have a grazing territory under its control, and that each family should own cattle as separate property.

A herd of cattle belonging in common to the school children has increased to a large number. It is a most encouraging success, and is about all that is visible in the way of material progress among the 5,000 Indians around Fort Reno, except the freighting business, which is a great advantage and has yielded excellent results. An Indian ought to make as good a herder as a white man, and these tribes should be able at least to raise all the beef and mutton they could consume, on the wide plains in the limits of their reservation, if they are protected in its occupation and supplied with cattle and sheep to begin with.

The schools at Fort Reno Agency are well conducted, and promise in after years to be of great advantage to the people. There is an Indian sentiment which is averse to acquiring a knowledge of the English language. Whether this is owing to their aversion to the white people or is an expression of their pride of race it is not easy to ascertain. If it is their love of their native tongue, the sentiment is honorable and has characterized all brave and spirited people. As the teaching must be in the English language, the process of education must be painfully slow. The teachers in these schools are most worthy, patient, self-denying, intelligent, and faithful in their duties. They are chiefly young ladies, and are being aided somewhat by native girls who are sufficiently trained to be of valuable assistance. The schools afford the most hopeful evidence of the ultimate capacity of these Indians for high civilization, who are described by Generals Miles and Mackenzie as presenting the highest type of mental and physical power to be found among all the wild Indian tribes.

Your committee are strongly impressed with a like conviction as to their capacity.

In one respect their condition deserves sympathy, if not pity, and excites also serious apprehension of bad results at some time. More than five thousand Indians are imprisoned (for to them it is only imprisonment) in a country that offers but little temptation to labor to those who only know the rudest forms of agricultural industry. White men would make it a good agricultural region after having expended upon it much labor and skill; but to the Indian it might almost as well be a desert, so far as the fruits of the earth are concerned. They are not encouraged in that country by nature to begin the novel enterprise to them of living by growing their food supplies. The chase is ended, for the game is exterminated. And so it is that five thousand idle people, without hope, without aspirations, feeling always the chains of bondage, and brooding over wrongs, actual or imaginary, are left to drag out their days in sullen despair, or to relieve the tedium of such a life by loitering, mischief-making, and in useless sports and pastimes. Their rations and annuities claim their whole attention, and the slightest disappointment in the issues creates dangerous commotions.

The foregoing statements are taken almost exclusively from the testimony of witnesses examined before the committee. They will be found to receive almost exact corroboration from the accounts of the same transactions in the various reports and letters of Army officers, agents, inspectors, and others which were made at the time. Mr. Miles, the agent at Fort Reno, has done his duty faithfully and bravely in almost every particular, and has had a most difficult task to perform. In this he has had the valuable support of his excellent family, who are true Samaritans, to whom the Indians show great respect and gratitude. Mr. Miles, like every other Indian agent, has been compelled to conform to the will and pleasure of the head of the Indian Bureau, and to gloss over his mistakes or delinquencies with a show of approbation. These agents and the bureau should be made to some extent more independent in their relations, so that they might not be compelled to attribute every trouble that arises to the Indians in order to shelter the Bureau of Indian Affairs. Colonel Mizner and the officers under his command at Fort Reno have given the most enlightened and dutiful support to all measures looking to the peace and welfare of the Indians and the civil officers and employés in charge of them.

The instruction in farming now given to the Indians is of no practical value. One farmer only is provided for near a thousand laborers (if they should go to work), men who are ignorant of everything relating to agriculture. This supply is wholly inadequate, and only leads to ridiculous failure and the disgust of the Indians with their futile efforts.

The committee believe that a most favorable opportunity is now presented to bring these wild Indian tribes into a condition of comparative prosperity and enlightenment through the wise and faithful efforts of Congress and the executive departments.

We are not living up to our obligations with the Cheyenne and Arapahoe Indians, and we should give them clearly to know by our future dealings with them that we will do them full and liberal justice, while we require of them honest and exact obedience to law.

By such a course we will save a race of men, worthy of the best labors of civilized men and of the sympathies of Christian people, from the sad fate that awaits them if they are suffered to linger and perish in this national poorhouse.

Your committee respectfully recommend:

1st. That Little Chief's band (not including those who are merged in other bands) be returned to the vicinity of Fort Keogh and be put on a reservation with the Northern Cheyennes in that vicinity, and that the competent men amongst them be employed as Indian police or scouts, according to the necessities of the service. This course will avoid the evil example that might otherwise be set by removing Indians because they are dissatisfied.

2d. That a policy be adopted, and enforced by law, with reference to the Cheyenne and Arapahoe tribes of Indians, whereby the territorial limits of their reservation shall be established on a liberal basis (having distinct reference to ample grounds for grazing), and shall be secured to them exclusively for a term of years, and that will also secure to the Indians the full benefits of existing treaties with those tribes.

3d. That a plan be adopted for establishing a herd of cattle for the tribes, or separate herds for the bands, and that the government provide for a reasonable annual investment of money in stock cattle to preserve and increase the herds, to be under the control of the Indian agent, under regulations to be prescribed by the Commissioner of Indian Affairs.

4th. That herdsmen be employed, where convenient and safe, from the several bands of Indians; and that a sufficient Indian police under white officers be employed to guard the herds, and generally to preserve order in the reservation.

5th. That additional farmers be employed to remain with the Indians to aid and instruct them in agriculture; and that some provision be made for the survey of irrigating ditches and dams to be opened and constructed by paid labor of the Indians, and to be for the common use of those who may select small bodies of land along the ditches.

In making allotment of lands to Indians in severalty, attention should be given to the proper regulation of the privileges of using water from the irrigating ditches, and the right to such privileges should be carefully provided for and made to depend upon the steady pursuit of agriculture as a means of living. As the best means that have suggested themselves to the committee to wisely inaugurate this plan and to provide permanent homes for the Indians, the committee recommend the adoption of the accompanying joint resolution.

S. J. KIRKWOOD.
JNO. T. MORGAN.
H. L. DAWES.
J. E. BAILEY.
P. B. PLUMB.

TESTIMONY

TAKEN BY

A SELECT COMMITTEE OF THE SENATE

CONCERNING THE

REMOVAL OF THE NORTHERN CHEYENNE INDIANS.

1 CH

TESTIMONY

IN THE

CHEYENNE INDIAN INVESTIGATION.

The first testimony taken was at Lawrence, Kans., on the evening of August 12, 1879, all the committee being present excepting Mr. Bailey, of Tennessee, who, being unavoidably detained at home, did not accompany the committee to the west, nor participate in the examination of the witnesses there.

Wild Hog, a leading man among the Northern Cheyenne Indians, and five of his companions—the six being confined in jail at Lawrence on charge of outrages alleged to have been perpetrated, during their flight from the Indian Territory, on the white residents of Kansas—were brought to the committee room accompanied by their attorney Mr. J. G. Mohler.

Major Ben. Clarke, of Fort Reno, Ind. Ter., was sworn as interpreter.

Being questioned by the chairman as to whether Indians understood the meaning and recognized the sanctity and binding force of an oath, the interpreter replied that the Indians know what an oath means, but to them it does not amount to anything. They say they always tell the truth, because the Great Spirit hears them. In this case they will feel that it is for their interest to tell the truth.

Further conversation took place between the chairman and the interpreter, and between the interpreter and Wild Hog, at the close of which the interpreter reported to the chairman:

I told him that according to white men's methods, whenever white persons take an oath, knowing that God above hears what they are about to say, they feel bound to tell the truth. I asked him if he, knowing that the Great Spirit would hear what he had to say, would tell the truth; and he said he would.

The CHAIRMAN (to the interpreter): Please state to them that if they desire to tell anything that occurred before they left their northern home to go south, how they came to leave their former home, the reasons why they left, &c., we should be glad to have them do so—making a free and full statement of the facts.

Mr. Mohler, the attorney for the Indians, suggested that Wild Hog, the leader and the ablest among the Indians present, be examined and answer for them all.

WILD HOG.

LAWRENCE, KANS., *August* 12, 1879.

The CHAIRMAN (to the interpreter). Q. Very well. Ask Wild Hog where he and his tribe used to live before they went to live in the neighborhood of Fort Reno.—Answer by Wild Hog through the interpreter: The Black Hills was the center of the region of country where they were born and where they grew up, and where their fathers before them were born and grew up.

Q. When did they leave their northern country to go down south?—A. There have been two winters passed, and the end of the one that is coming will be three since they left and went south. (The interpreter explained that the Indians knew nothing of the white men's method of calculating years from the Christian era, and that this meant they started south in the spring of 1877.)

Q. Why did your tribe leave their northern home and go south?—A. We were called to a council at White River, at Camp Robinson, the old Red Cloud Agency, by Generals Crook and McKenzie. When we were assembled there, we were told that it was the will of the government that we should go south, to the Southern Cheyenne Agency. When we were first notified that the government was going to remove us to the southern territory, there was a great deal of dissatisfaction among the Indians; they did not like the idea of leaving their native country. But after awhile, a portion of them were brought to agree to it, and appeared to work with the officers and the interpreter for that purpose.

Q. How were they brought to agree to it? what was said to them, if anything, to induce them to leave?—A. They were told that the southern country was a much finer country than that up there; that if they would go down there, they would receive a much better issue of provisions and a better issue of annuities; that it was fine hunting down there; that it was the orders of the government that they should go, and if they would go, the government would do everything in its power to make it pleasant for them. We were even told that we should receive presents of horses and other presents on our arrival in this southern country.

Q. What next occurred?—A. It was in accordance with the orders of the government, and in consequence of the promises made us by these officers, that we finally concluded, though with considerable hesitation and reluctance on the part of a great many, to leave the Red Cloud agency. We moved down to the place where the government had ordered us to go—the Southern Cheyenne Agency, in the Indian Territory, near Fort Reno. We moved down quietly and nicely, without doing any mischief whatever—without harming any one or troubling the property of anybody.

Q. After arriving at the Southern Cheyenne Agency, what next occurred?—A. As soon as we arrived at the agency, we began to see that things were not as they had been represented to us.

Q. What was the trouble?—A. Very soon after our arrival there the children began to get sick and to die in a way they never had been known to do at the north. The climate was much hotter than at the north, and the woods were full of musquitoes and bugs, that troubled us very much. The country was not full of game, as we had been told we should find it. It did not nearly come up to our old range up north for hunting.

Q. Were there any other grounds for complaint?—A. We were told also that if we removed to the south we should find a much better issue of rations; that the rations issued, in quantity and quality, should be such as would never allow them to get hungry. But when we got down there we found that the principal part of our rations consisted of corn ground up—corn meal. We were told that, in addition to the rations issued, there would be plenty of buffalo for us to hunt; but we did not find buffalo plenty there at all. They were all gone the first winter that we went out to hunt.

Q. How many children got sick and died?—A. Between the fall of 1877 and the fall of 1878 we lost fifty children by sickness.

Q. What else, if anything, occurred to make you dissatisfied with that country?—A. We could not forget our native country anyway—where we grew up from childhood, and knew all the hills and valleys and creeks and places we had hunted over; where the climate was cooler, the air purer and healthier, the water sweeter and better, than in the southern country to which we had been sent by the government; and finding that the promises which had been made to us by the government were not fulfilled, that, instead of being better than the land we had left, everything was so much worse, we got homesick for our own county again.

Mr. PLUMB (to the interpreter):

Q. Inquire of him in regard to the issue of food, the furnishing of medicines, and whether medicines had been asked for and refused.—A. There was a doctor at the agency; sometimes when called upon he would go and see the one that was sick; at other times, very often, he would pay no attention; he would not go nor do anything. He would doctor some of the southern Indians; but when the Northern Cheyennes would call on him, he would not go near them nor pay any attention to them.

By the CHAIRMAN:

Q. What is his name?—A. I cannot give his name; there is only one doctor there—the agency doctor.

Q. Did they get all the beef promised them?—A. We did not get enough to eat on the beef ration. They would give Indians to the number of sixty-seven or sixty-eight two small beeves. Sometimes two beeves would be given to sixty or seventy Indians, sometimes to eighty or ninety Indians.

In answer to inquiries by the chairman and other members of the committee, the witness explained at considerable length the method of distributing beeves among the Indians. The Indians would divide themselves into groups or companies, and to these companies the cattle were distributed, one to each company once a week. The cattle were given to the Indians alive, and they did the killing; they preferred to have it that way. When the beeves furnished were uniform in size, the groups of Indians so formed would remain unchanged for weeks and months; when they differed widely in size, a great deal of trouble and confusion resulted. In addition to this, the witness added in conclusion, there was not a sufficient supply of beeves, so that each one had to be distributed between so many Indians that there was not enough to supply the hunger of each; for instance, "sometimes a company of forty-two Indians would get only one steer, and steers were then very poor."

By the CHAIRMAN:

Q. Did they not get any pork?—A. Once in a while they got a piece *that* big (exposing the palm of his hand) for a family, at other times they did not get any.

By Mr. PLUMB:

Q. What did they get besides beef and pork?—A. They issued flour, sugar, coffee, and tobacco, but they never had them all at the same time. They were always out of something. They didn't have coffee half the time. We had to gather a kind of leaf on the prairie and use that most of the time, in order to have any hot drink.

Q. (To the interpreter). Does he mean to say they didn't have in all the full amount of rations due them?—A. (By interpreter after consultation with witness.) He says so.

Q. I thought they might issue flour one day, sugar the next, &c., and what was lacking one day might be made on some other occasion, so that on the whole you might get your full and complete rations?—A. There was never an issue when we got our ration complete of anything; and we were out of coffee almost all the time. The flour was very black, very poor.

By Mr. **Morgan**:

Q. Did you ever really suffer from hunger?—A. We were *always* hungry; we *never* had enough. When they that were sick once in a while felt as though they could eat something, we had nothing to give them. The beef rations were generally eaten up in two days—a week's rations.

There is another thing I had forgotten to speak of. Before we left our northern home, we were told that when we got down to the southern agency, if we would give up our children to go to school to the mission, we should be paid money for it, which we have never received.

Q. Where were you told this?—A. Up at White River, at the council there; we were told that we should receive money—which we have never got—on account of giving up the children to be educated.

Q. After the arrival of the Northern Cheyennes in the Indian Territory, did any of them make any effort whatever to cultivate the soil?—A. Some of them did begin to farm a little.

Q. About how many?—A. There were five or six began to do a little in that line.

By the **Chairman**:

Q. How did the Northern Indians get along with the Southern Cheyennes?—A. No sooner had the Northern Cheyennes got down there than the Southern Cheyennes began to show dislike for them. They said, "What are you *Sioux* doing here?" Little Rogue pointed his finger at me and asked that. After that there was quarreling between the Northern and the Southern Cheyennes all the time.

By Mr. **Morgan**:

Q. Had the Northern Cheyennes intermarried with the Sioux?—A. Great numbers of the Sioux have married our women; and some of our men have married Sioux women. This intermarrying has taken place principally with the Spotted Tail and Red Cloud bands of the Sioux. We used to live with Red Cloud and Spotted Tail and their bands just as if we were all one tribe; used to give each other our children in marriage, and mix with them in all ways as if we all belonged to the same tribe.

By Mr. **Plumb** (to the interpreter):

Q. Ask him whether they made a treaty with the government when they went down south, or before; if before leaving White River and going below, how long before; and whether the treaty, if there was one, was in writing?—A. There was a treaty made, which our principal men signed.

Q. Who made these representations as to the character of the country down there, and these promises as to what they should receive if they would go down there?—A. We were told so at the council that was held with Generals Crook and Mackenzie, at the old Red Cloud Agency; we were told so through the interpreter, Long Knife—the white people call him Bill Rowland. We were told that it was the orders of the government for me to go down there—that we *had* to go down. The intepreter told us so.

Q. Were these promises made before the treaty was signed, or afterward, or a part of them before and a part after?—A. The promises were made to us first; and afterward we signed the papers and agreed to go down.

Q. Were all these promises contained in the treaty or not? Were you told, or did you understand, that they were?—A. They were given to us, through Bill Rowland, as coming to us from Generals Crook and Mackenzie in that council.

Q. What I want to get at is, did you understand that these promises were put down—written down—*in the treaty* before it was signed?—A. They told us that it was all contained in the treaty; that it was all written down there.

Q. How many of you went down there in all—men, women, and children—under that treaty?—A. There were about nine hundred and sixty of our people.

By Mr. DAWES:

Q. In all, do you mean, or that went down there?—A. That went down there.

Q. How many of these were women and children?—A. I could not tell exactly; there were nearly three hundred men; the rest were women and children.

By Mr. PLUMB:

Q. When you got down there, did you find that any employment had been provided for you; any land broken, any agricultural implements furnished, or any arrangements made so that you could cultivate the soil, or anything done so that you could help yourselves; that first year, I mean?—A. We did not receive any agricultural implements when we first got down there; the agent said he was going to issue some the following season; but before that time came we got sick of that country and preferred to go back north; if we could have been allowed to go back to our old reservation we would have been willing to go to farming, or to have done anything the government required of us in that country; but we didn't care to go to farming down there.

Q. Was there any land plowed up, ready for you to go to work on?—A. There was none plowed up when we got down there; but I told the agent I would like to have him speak to the President, or send word to the President, and ask him to let us go back to the north, and have them do these things for us up there—put us in the way of agriculture up there. But the agent did not pay any attention to us.

Q. Were any agricultural implements issued to you the next season or any land broken up for you?—A. In the fall of the first year some of our people received some farming implements, plows and hoes.

Q. To how many were farming implements given?—A. I believe to five families; to Crazy Head, Broken Dish, Living Bear, Standing Elk, and Spotted Elk; Spotted Elk has since died.

Q. Had they any horses when they went down there?—A. We had a good many, but not so many as we had when we came into Red Cloud and soon after getting down there.

Q. Do you mean when you came into Red Cloud at the time the treaty was made or when you came through there on the way down?—A. Before we came into Red Cloud we had a good many horses; after getting there we were dismounted, and our horses taken away from us; but a part of them were given back to pack our things on. After reaching the south, a part of the horses were taken away and never given back again, contrary to the promise made them that those ponies never should be taken away from us.

Q. Were they taken away by anybody representing the government?—A. Yes; and a good many more were lost by being stolen by other Indians, Arapahoes and Southern Cheyennes.

Q. Did you find any game down there?—A. About the only game we could find was turkey.

Q. Did you not go out on the plains, sometimes, and hunt buffalo, with the consent of the agent?—A. We went out on a buffalo hunt, and nearly starved while out; we could not find any buffalo, hardly.

Q. What did you do during the time you were there? What were the men of your tribe occupied about?—A. When we first got down there we didn't do anything. Soon after getting there sickness came into our camp. When winter came we went out on a buffalo hunt, and nearly starved; we could not find any game; we could hardly get back with our ponies; while on the hunt we had to kill a good many of our ponies to eat to save ourselves from starving.

Q. Were the men and women sick while in camp, as well as the children?—A. Yes; a great many of our finest young men died, as well as many women.

Q. Of what disease?—A. The children died of a disease we never knew anything about before; they broke out in blotches and dots all over, their noses would bleed and their heads split open; I don't know the name of it. (The interpreter explained that it was the measles.) Then there was a great deal of ague among the older people.

Q. How many doctors were there at the agency?—A. Only one.

Q. How many Indians were there?—A. I cannot state whether there were five thousand or six thousand or more than that; I know there were a great many Indians to one doctor; all the Arapahoes and all the Southern Cheyennes and all the Northern Cheyennes were at that one agency, with only one doctor for them all.

By Mr. MORGAN:

Q. How long have the Northern Cheyennes and the Southern Cheyennes been separated?—A. There is a tradition that originally all the Cheyennes belonged north, in the Black Hills region and between the Yellowstone and the Platte Rivers; but a long time ago—it must have been over a hundred years ago—a small portion of the tribe branched off and went down south to trade for horses with the Kiowas, and some of them staid there; afterward, at different times, others broke off and went south; but for the present generation, for the past sixty years, the Northern Cheyennes have staid north and the Southern Cheyennes have staid south, and have not had anything to do with each other.

Q. Which was the largest branch of the Cheyennes—the northern or the southern?—A. The northern was, originally.

Q. But at the time of the removal?—A. Then the Southern Cheyennes were.

Q. How much the larger; in what proportion?—A. In the proportion of about two to one, or about two and a half to one; there were about twenty-five hundred Southern Cheyennes to about a thousand Northern Cheyennes.

By the CHAIRMAN:

Q. Was any promise made you at the council at the old Red Cloud Agency that in case you did not like the location selected for you in the south you might return to your northern homes?—A. Yes, there was. During that council, and before we had agreed to come down south, while there was a great deal of talk against going, we were told that it was the will of the government that we should go down; they said, "You can go down and look at the country, and if you do not find it as we say it is, you can come back and live here again." That is what was said to us by Generals Crook and Mackenzie in that council.

Q. (To the interpreter.) Were these other Indians present at that council, and did they understand this matter in the same way that Wild Hog does?—A. (By interpreter, after consultation with Wild Hog's five companions.) Yes.

By Mr. MORGAN (to interpreter):

Q. Was Wild Hog a chief, and there at that time in that capacity?—A. He was.

Q. Did he himself hear the promise?—A. (After referring the question to Wild Hog.) He says he heard it.

Q. Did he sign the treaty?—A. He did.

Q. Was he the head chief of the tribe?—A. He was not the head chief, but he was a chief; Little Wolf was the principal chief, and Wild Hog came next. He was the second man that talked at the council on the Indian side, he says.

By the CHAIRMAN:

Q. What other Indians talked besides Little Wolf and Wild Hog. Who else participated in that council on the part of the Northern Cheyennes?—A. (By Wild Hog:) There were only five of us spoke on that occasion; three others besides Little Wolf and myself—Dull Knife, Standing Elk, and Living Bear.

Q. Did those five all sign the treaty; and did any one else sign it on the part of the Cheyennes?—A. Those five, and only those five, signed the treaty.

By Mr. DAWES:

Q. Did you explain it, as you understood it, to the rest of the band, before signing it?—A. All the men belonging to the tribe were not present at the council, but it was explained to them, and they all, generally, understood it before they left there.

By the CHAIRMAN:

Q. Do I understand correctly that these other five men, who are here now with Wild Hog, were there in that council, and so understood the treaty?—A. (By the interpreter, after referring the question to each one of the five, who replied affirmatively.) These five were all there; and there were many Sioux there also, and some Arapahoes.

Q. Did your people go south voluntarily, or in consequence of these representations, and with the understanding that the government had issued an order, from which there was no appeal?—A. A portion of them were willing to go from the beginning; but this was only a small portion; the greater portion of them preferred not to go, but they understood that it was the will of the government, and that they *had* to go.

By Mr. PLUMB:

Q. Did they all go south, or did some of them remain north?—A. All who were at that agency went south. A portion of the tribe had surrendered to General Miles, and these did not go down at the same time with the rest. And a part of the band are still up there, with General Miles.

Q. If those rations which are issued at the present agency were to be issued every day, or every two days, instead of once a week, would it be more satisfactory? Would any method of distribution result in giving greater satisfaction—the amount of rations issued in all remaining the same as at present?—A. If we got only the same amount in all as now it would not make any difference. But when we got seven days' rations up north we had plenty to last us for the whole seven days; down there we did not have plenty.

Q. Who issued the rations up north?—A. The agent; he issued every seven days, and we had plenty to eat; we got sides of bacon, while we get only little pieces down here; and we got everything else in proportion.

Q. Would your tribe generally have cultivated the ground, and entered upon farm work, if they had had implements furnished them, and ground broken up and made ready for them—the second season you were down there?—A. We didn't want to farm anyway down south; we wanted to go back north, to our own native country; we were willing to farm, or to obey any other orders of the government, if we could be permitted to live there; we did not feel like settling down in the south.

Q. Were any of the Southern Cheyennes engaged in farming when you went down there, and the next season following?—A. A pretty good many of the Southern Cheyennes, when we got down there, were already farming; not very many, but a considerable number; a number of women who were widows of Southern Cheyennes were farming down there.

By Mr. DAWES:

Q. Did the Northern Cheyennes, when they got down there, remain separate from the Southern Cheyennes, or did the two mingle together as one people?—A. As soon as ever we got down there the Southern Cheyennes commenced calling us "fools," and "Sioux;" so we kept separate, and did not camp together.

By Mr. PLUMB:

Q. How many of the Northern Cheyennes died between the time they went down there and the fall of the next year, 1878?—A. (After some time spent in consulting, counting, and calculating with his five companions, the witness answered:) As nearly as we can calculate, there were fifty-eight of them died.

Q. Were any others sick at any time?—A. There were a great many taken sick who afterward recovered.

Q. Did the doctor ever go out to visit the camp of the Northern Cheyennes?—A. When he was sent for he used to say that his medicines had given out, and he would refuse to go and visit them.

By the CHAIRMAN:

Q. Was the hunting better up north than down there?—A. Yes, the hunting of everything—buffalo, elk, deer, everything. The hunting generally was a great deal better, in all respects.

Q. Were not the winters colder up north than down there?—A. The winters were colder, but, nevertheless, it was much more pleasant and healthy, and the game much more abundant. The snow was pretty deep, but we were comfortable—we felt happy all the time, up there. Though the country is colder up there in the winter, the grass has more nutriment; the horses and cattle fatten better; the horses keep stronger on it.

By Mr. **PLUMB**:

Q. Were you at Camp Robinson?—A. I was.

Q. If you choose you may state why the Indians broke out from there, and the circumstances which led to and attended that event.—A. When we surrendered, and were taken to the garrison at Camp Robinson, we were told that our case would be represented to the President, or to the government, and that we should be well treated. For a good while we were well treated and very pleasantly situated there. We were kept under guard, but had a large house to stay in; and we had plenty to eat. After being there a good while, we were at length called into council by the commanding officer. We were told—that is myself and Tangled Hair and Dull Knife and Old Crow—we were told that orders had just been received, saying that we must return at once to the Southern Cheyenne Agency. We were very much surprised at being told that we would have to go at that time. I said, "Look at us; see how we are clothed!" There was nothing on us hardly; the snow was that deep (about two deep); the weather was exceedingly cold. We said we would like to remain there until the weather got warmer, in the spring; besides, a part of our band were still at large, and by that time they could all be got together, and could all go back together. We said, if the order has come for us to go back, why not take us all back? and our women and children could go back better in the spring. We were sent for several times after that; we always tried, in the same way, to get them to wait until spring; we did not say that we *would not* return, but that we would rather wait. Then, all at once, the commanding officers got mad, and cut off our rations and fires—just because we said we did not want to go away in the winter. For seven days none of us—men, women, nor children—had anything to eat. For seven days, although it was bitter cold, we had no fire, nor any fuel with which to build a fire. No water was given us to drink. We were nearly starved and nearly frozen; we expected to be starved to death. So we broke out. This that I have told you, and all I have said to-night, is the truth, and I have not been lying at all.

By Mr. **MORGAN**:

Q. Who was the commanding officer?—A. I do not know his name; he was a cavalry officer, and had a gray horse company of cavalry.

By Mr. **PLUMB**:

Q. After the officer informed you that you must go south, did you not become so angry that the soldiers were afraid to open the doors, and put provisions in there, and furnish you with fuel, for fear you would break out then, the instant the door should be opened?—A. They were not afraid of us; during all the time they were keeping us without food and fuel they used to come into our guard-room. We did not deem it right to be angry at them, for the commanding officer who caused these orders to be issued to us told us that it was done by the order of the President.

Q. What reason did he give for not feeding you?—A. Because the President told him not to.

Q. Were you not told that it was because you would not go south, or that you could have no food until you would go south, or something of that kind?—A. The officer told me that the President had ordered that we should not receive any food, or any fuel for fire, because we had said we did not want to go south. He said, "If you will go south now, right away, we will issue food and fuel to you again." We said again we did not want to go, because we had not the clothing to keep us from freezing to death in such cold weather.

Q. Did they continue starving you, and keeping you without fuel and drink, up to the time of the outbreak?—A. At the end of seven days the man who had been in command sent for me alone; I think his name was Lieutenant Johnson; he said to me, "I am very sorry that you are being starved and used in this way; it makes me feel bad to see you suffering in the way you are; I would not have you suffer so if I could help it; I thought I had charge of you myself, but the government has decided otherwise, and it seems that this other officer has charge of you; it is not my fault that you are suffering in this way." About the same time the agent of the Sioux came up there—of the Red Cloud Sioux—and I told the agent I would like to give him my children to keep and let him send them to school, so as to keep them from suffering, for they were being starved there too; but he said he could not do it. About the same time, just after my interview with the others—Lieutenant Johnson and the agent of the Red Cloud Sioux—the present commanding officer sent for me. I was a little suspicious, and asked Old Crow to go with me. I did not like to go, and so waited for some time, but they sent the interpreter, Bill Rowland, after me again, saying that the commanding officer wanted to talk with me; then we both, old Crow and I, went down to his house. As soon as we got in there I knew that there was to be trouble; I saw by the movements of the soldiers that they meant to do us some injury. Almost as soon as they had entered the house the soldiers came in and surrounded us. The commanding officer then said to us, "Now, we want you to say what you are going to do, right away." I repeated what we had said before, that the weather was so cold we should all perish if we tried to make the journey then, with the snow so deep, and that we preferred to wait until the weather should get warmer; also that I had been trying to give my children away to the Sioux agent to educate, and so that they might not starve to death if I did myself. From the motions of the soldiers I thought they were going to kill me; then I concluded I would stab myself. I thought I would rather kill myself than be killed by anybody else. Then the soldiers sprang at me and grabbed my arm, and we had a tussle; that was how the struggle commenced. Then they captured and made a prisoner of me and of Old Crow; they put irons on us both. They put the irons on Old Crow first; Old Crow and I were great friends; I at first resisted their putting irons on me, but when I saw they had put them on Crow I rushed up and said, "If you are going to put irons on him, put irons on me too;" and they did.

Then they put irons on Left Hand; he was the third one ironed.

After taking us prisoners, they carried us out to the post and separated us from the other prisoners. We had our wives with us; Tangled Hair's mother and aunt were with us, and that one next to him had his mother and aunt with us; these others that were with me had their wives and some of their children also, so they were left out of the fight that followed. We heard of the outbreak the next morning.

Q. Did it occur the next night after taking you and these other men away from the rest?—A. It occurred on the very night of that day; that precipitated the outbreak. They were still kept starved; and when I and these other men were called out and ironed and taken away they thought we were to be killed, and not only we, but those who remained behind; and if they were to die anyway, they determined to sell their lives as dearly as possible.

By the **CHAIRMAN**:

Q. How many were there in confinement at Camp Robinson?—A. There were one hundred and fifty-five in all—men, women, and children.

Q. How many of them broke away?—A. All them that were in the house there together broke away. When they took us prisoners they allowed us to send for our wives and children; then those that were left in the guard-house broke out—men, women, and children. The number of those not in the outbreak was about twenty; this would leave about a hundred and thirty-five that broke out.

Q. How many of these were killed in the pursuit?—A. The men were all killed, except Tangled Hair, here, and Dull Knife; Dull Knife slipped out in some way and got down among the Sioux, and is there yet, or was when last heard from.

Q. That is not all of them that remain?—A. These six men and Old Crow and Dull Knife are all the men that remain of that band, which numbered one hundred and fifty-five when they surrendered; but there are fifty-seven women and children left up north, besides some women and children that were sent below. I do not know how many of the women and children were killed.

Q. Is there anything further you would like to say before we close the examination?—A. (The Indians consulted together, and Tangled Hair made a statement as follows:) "I was one of the party who broke out; we had not made up our minds to break out until that night. From the actions of the soldiers outside who had captured the others, we who were inside thought they were getting ready to commence shooting us down. Some soldiers came to the door and said, "We want your women and children to come out;" but the young men surrounded their women and children, and would not allow them to go out. Then we all consulted together and decided that, rather than be shot down in there, we would break out. Just as soon as we broke out the first shot was fired by the soldiers. When we broke out, it was not with the intention of doing harm to anybody, but to try to get away. The soldiers fired on us, and then it was just like shooting cattle; we dropped dead one after another as we ran. I dodged and doubled as I ran, but was wounded and captured, and brought back to the post.

By Mr. **PLUMB**:

Q. How many guns and pistols did you have among you at the time of the outbreak?—A. I do not know anything about that. Those who had anything of that kind kept them concealed.

Q. Were you not disarmed when you were captured?—A. When we surrendered we gave up our arms to the troops and all the horses we had.

Q. (To Wild Hog:) Did you ever complain to the agent down there about not having medicine and medical attendance for the sick; and, if so, what was the agent's reply?—A. No; we never said anything to the agent about it; we used to send for the doctor, and he would not pay any attention, but we never went to the agent.

Q. Why did you not bring the matter to the attention of the agent?—A. Well, we considered that he looked with more favor on the Southern Cheyennes than on us, and we thought it would not be of any use to talk to him about it.

Q. Did you ever complain to the agent in regard to the lack of food?—A. We did so often, and tried to get more to eat, but it never did any good.

Q. How often did you complain to the agent about lack of food?—A. I do not remember how often.

By Mr. MORGAN:

Q. How many of the Northern Cheyennes who went down to the Territory are now living?—A. (By the interpreter:) He says it is pretty hard to tell. He asks me to tell you, because, he says, I can make the calculations better than he.

By the CHAIRMAN (to the interpreter):

Q. Do you know?—A. I think likely I can figure it up; at least can get at it more nearly accurate than he. He says fifty-eight died down there before they left. Then there are those that were killed up yonder at Camp Robinson; then there must have been about twenty died down there since they left.

The chairman put the question to each one of Wild Hog's five companions, whether he had heard and understood the testimony. Each one answered that he had heard it, and that it was all true.

OLD CROW.

FORT RENO, IND. TER., *Aug.* 19, 1879.

By the CHAIRMAN:

Question. To what tribe of Indians do you belong?—Answer. I am one of the Northern Cheyennes; I was born and raised in that country.

Q. Where were you born and raised?—A. In the Black Hills country; that is where my father told me I was born—in a camp among the Black Hills.

Q. When did you leave there to come here?—A. Two years ago last spring. I have passed two winters here, and came here in the spring.

Q. How came you to leave there and come here? We want to get at the whole history of the matter.—A. We were first told that we must leave there by Generals Crook and Mackenzie; they called us to a council, and informed us that the government had decided to remove them to this country.

Q. Go on, and tell everything that was said in the council and all that occurred up to the time you started to come down to this country.—A. They said to us, "You are to go to the south, and when you get there your condition will be much improved; you will have a better issue of provision; these old things you have now you can throw away, for you will have better goods issued to you than you have been having up here." They said, "When you get down there you will find the rest of the Cheyennes, the Southern Cheyennes, who have been living in that country for many years; it will be very pleasant for you all to get together again in that country, which is a very nice country; we will issue wagons to you and everything that will make you comfortable; everything will be pleasant for you down there." That is what they told us at that council, and we came down here on account of those promises.

Q. Were you present at the talks between the government officers and the Indians before the treaty was made, and did you take part in them? Did you hear what was said on both sides, or is this that you have just been stating what you heard from others?—A. I was present at the council, and heard all that I have told you, although I did not talk myself; I was one of the listeners at the council.

Q. Well, now go on and state what you found here, and what occurred after you got here.—A. As soon as we got down here we found it was no such place as they had told us it was; we had not been here a month before a number of our people took sick and died; that was one thing we were dissatisfied with, at first. Then, we did not get the rations we expected; instead of the issue being better than we had up north, they were worse; there was not so much of them, and they were poorer; the principal part of it was corn. Besides, we began to lose our horses; they were stolen from us. Then the Southern Cheyennes became unfriendly to us; they quarreled with us, calling us Sioux; they asked us why we left our own country and came down here into their country; we could not get along with them.

By Mr. MORGAN:

Q. What season of the year was it when you arrived here?—A. It was about the middle of summer, or a little later.

Q. How long were you upon the journey?—A. We left our homes up there in May, and got here about midsummer.

Q. The treaty under which the Northern Cheyennes were removed south provides that five or more chiefs, or principal men, from each band, shall visit the Indian Territory under the guidance and protection of suitable persons, appointed by the Department of the Interior, with a view to select therein a permanent home for the Indians. I want to know whether any such delegation came from the different bands before the Indians were removed. Did five chiefs or principal men from your tribe come down here and look at the land, and make a report in regard thereto, before you—that is, the main body of Northern Cheyennes—came down?—A. There were two of our leading men came down here with the Spotted Tail Sioux delegation—Spotted Elk and Calfskin Shirt; they came down here in the fall.

Q. The fall before the Indians were removed?—A. Yes, sir.

Q. Do you know what report they carried back in regard to the country?—A. When they got back Broken Dish told the Indians——

Q. Who was Broken Dish?—A. That was another name they had for Calfskin Shirt; he told the Indians it was a nice country, and advised them to come down. Turkey Legs and Standing Elk also were in favor of coming down; they said, moreover, that it was the orders of the government, and we must come down.

Q. I notice here (referring to a report of the Commissioner of Indian Affairs) a reference to a talk between a Muskogee chief and the Sioux delegation, which seemed to have taken place in the eastern part of this Territory, down in the Creek nation; do you know whether this Broken Dish and Spotted Elk came to *this* part of the Territory, or looked at it?—A. They came right here, to this agency, where we were told we had to be removed to; they said they came here; I don't know where else they went.

Q. I would like to know what report they took back in regard to buffalo hunting in this country?—A. They reported that there were many buffalo here then, but by the way they were dying off, of some kind of disease, they didn't think they would last long.

Q. What did they report in regard to the health of the country?—A. They said there had been a great deal of sickness down here, among the Cheyennes and Arapahoes.

Q. When the Northern Cheyennes came down here, did they settle on the streams or out on the prairies?—A. When we first came here we camped for a short time on the river-bottom; but we soon moved up on the high ground. There were springs over here, on this road, and so we moved over here where we could get spring-water.

Q. How far from this agency do the Northern Cheyennes live now?

what is the greatest distance that any of them live, that are here?—A. The most of them have got together now for this medicine dance. Calfskin Shirt has been farming below this point of timber you see; and Standing Elk up the river, about five miles. Generally they live within five miles of the post here.

Q. How many buffalo hunts have you had since you came here?—A. We went out on one buffalo hunt the first winter after coming here, and that was enough; we went out, and could hardly get back; we could not find enough buffalo to keep us from starving, and had to live on turkeys.

Mr. PLUMB referred to the report of Agent Miles to the Commissioner of Indian Affairs, embodied in the report of the Commissioner of Indian Affairs for 1876, "which seems to indicate, in a sort of negative way that the Cheyennes secured thirty-five hundred buffalo-robes."

Mr. DAWES. That was before these Northern Cheyennes came here.

By Mr. MORGAN:

Q. I would inquire whether Indians have any aversion to bacon?—A. No, sir; they like bacon very much, but they don't get it very much, especially when there is a deficiency of beef; or when the beef is poor, we depend largely upon bacon for subsistence, if it can be obtained.

By Mr. KIRKWOOD:

Q. Which would the Indians rather have, a pound and a half of beef, or half a pound of bacon, to each person?—A. We do not like either so well alone; we like the bacon to cook with the beef.

Q. Ah! you would like a pound and a half of beef *and* half a pound of bacon?—A. They are not issuing now any bacon at all.

Q. I find it is provided in this treaty that whenever the Indians shall be located on lands which are suitable for cultivation, rations shall be issued *only to the persons and families of those who labor.* Now, did any of the Northern Cheyennes, after coming down here, go to work cultivating lands?—A. A few of them went to work, but very few; we were not told anything about that being in the treaty at all; we were only told that we should have plenty of rations issued to us, so that we should never be hungry. That was one reason why so many people died as there did; when they got sick they did not have enough to eat, or things proper for sick people to eat.

By Mr. PLUMB:

Q. I see it stated here, in a letter from the Commissioner of Indian Affairs to the Secretary of the Interior, dated the 23d of last January, that "in the fall of 1873 delegations of the Northern and Southern branches of the tribes"—referring to the Cheyennes and Arapahoes—"met in Washington, and effort was made to induce the former to *accept the cordial invitation of the latter* to share their reserve in the Indian Territory; but all overtures were met with decided opposition by the representatives of the Northern tribes." Do you know *why* the Southern Cheyennes asked the Northern Cheyennes to come down south and share their reserve in the Indian Territory?—A. I remember that time distinctly; I was one of the Northern delegation at Washington, that is spoken of, representing the Northern Cheyennes; Whirlwind did extend a "cordial invitation" in behalf of the Southern Cheyennes, but Little Rogue did not; Little Rogue was not at all friendly.

Q. Who was the chief?—A. They were both chiefs at that time.

Q. Were there any other chiefs of the Southern Cheyennes at that time?—A. Yes; in addition to these, there was Stone Calf, and White

Horse, and White Sheaf, and Crazy Mule, and a young man who was not a chief, but who went there, whom they called "the Ree."

Q. Did you hear what the other Southern Cheyenne chiefs said on the subject? If so, what sentiments did they express in regard to the Northern Cheyennes coming down there?—A. The other Southern Cheyenne chiefs did not say anything about the matter—did not appear like they were enthusiastic on the subject. The authorities in Washington told us it would be a good thing for us to come down.

Q. Did the Northern and Southern Cheyennes meet there, in Washington, by previous agreement; and, if so, what was their purpose in meeting there?—A. We heard they were going to have a meeting in Washington; and when we got to the Union Pacific Railroad we got a telegraphic dispatch saying the Southern Cheyennes had got there, and telling us to hurry up.

Q. Then you went there intending to meet them?—A. Yes, sir.

Q. When was this?—A. Seven years ago.

Q. What was the purpose of that meeting; what did you go there to see about?—A. That was the only subject that was talked about that I remember; at least, the only thing that was talked about *particularly* was the bringing of the Northern Cheyennes down here.

Q. What I want to get at is this: When you started to go to Washington to meet the Southern Cheyennes there, what purpose did you have in mind?—A. I did not know what was to be talked about; I was away from the others. When I was sent for I was up at Fort Laramie; I went to Washington, where I met these others; and this removal of the Northern Cheyennes to the south was the main thing they talked about. Dull Knife and Little Wolf did the talking for the Northern Cheyennes. The government advised us to come down. We said, wait till we can go back and see our people, and find out what they think about it; then it *may be* we will decide to go down. I would not say in Washington that all our people would go down; I said, "We will talk to our people about it, and see what they say."

Q. How many buffalo did your people kill when out on that hunt the winter after you came here? How many robes did they save?—A. I could not tell how many they got in all; I did not get any, and I know the most of them did not get any robes at all.

Q. Did you kill any buffalo fit to eat, but which did not furnish robes?—A. (Apparently not understanding the question.) Some camps got one, or two, or three, some possibly as high as half a dozen buffalo; others got none. They had to scatter to get buffalo, because they were scarce.

Q. Have you had any farming implements—hoes, plows, &c.—issued to your people since you came down here?—A. They didn't have anything of that sort to issue to us when we came down here.

Q. Have they at any time since issued farming implements to the Northern Cheyennes, or to any of them?—A. I learn that since I went away a good many of those who remained have had such things issued to them.

Q. How many?—A. I cannot tell how many. Since I was liberated I have only been right over here at my own camp, and have not been around among the other Indians.

Q. Had you ever asked to have ground broken or agricultural implements furnished you prior to the raid of last year?—A. They would never give us anything up to the time we left, and had not broken up ground for any that I ever heard of; I have only noticed that since coming back.

Q. Do you know of any one having asked to have ground broken up or farming implements issued to them?—A. Before I went away I know that some of those who staid were willing to go to farming; none of those who went away were willing. I think that some of our people who did not go away had already commenced farming.

Senator MORGAN called attention to the fact that no title to the lands is conferred by the treaty upon the Indians who may cultivate them. Considerable conversation ensued among the members of the committee, and different articles from several treaties were read, after which the examination was continued.

By Mr. MORGAN:

Q. Do you know any Northern Cheyenne Indians, the head of a family, making application to the agent to be located on any particular reservation of land, and to have a paper showing what his reservation is?—A. I have not heard of any one making any such application; I know that the majority of them have not wanted anything of the sort; they did not feel permanently located here; they did not want to feel so.

Q. Are the Northern Cheyennes, who are here now, still desirous of going back, or are they willing to remain here?—A. I know that the most of them, and I think that all of them, would rather go back north than to stay here. I do not know of any who would go unless allowed to go by the government; but they would rather go. Those who went back north wanted to go back peaceably; they applied to the agent to be allowed to go, but he paid no attention to their request; after making repeated requests and receiving no answer nor attention, they left.

By the CHAIRMAN:

Q. Are those who remain becoming more reconciled the longer they stay, or are they becoming more dissatisfied the longer they stay?—A. Some of the so-called Northern Cheyennes are reconciled to this country, but they are in heart Southern Cheyennes; they are Indians who had been here before, and gone backward and forward until one place is as much a home for them as the other. They are not really Northern Cheyennes.

Q. How many of that class are there in all?—A. I know of some ten or twelve families; I don't know how many persons that includes in all, maybe a hundred.

Q. If land should be broken, plowed, and farming implements furnished to these Northern Cheyennes, would they be willing to go to work farming here?—A. The greater portion of them would not; they do not wish to work at farming, even if the land were broken for them. It has never been their way of living; they do not understand it, and it does not come natural to them.

Q. Suppose the government would furnish cows, a certain number to every family, in proportion to the size of the family, would your people take care of them and raise their stock, so that they would in time to come have cattle to feed on? Would they go to raising stock, or would they kill the cows when they got scarce of beef?—A. I think if cows were given them in that way, with that understanding, our people would not kill them; there might be once in a while one who would be foolish enough to do so, if very hungry; but I think the most of them would keep them.

Q. If in addition to the rations at present issued every family of five persons were to receive five cows, or four cows, would they be willing to live on the rations they have until the increase of the cows would enable them to live comfortably?—A. If the rations now allowed by the government were actually issued, I do not think the cows would be killed;

I think the most of the Indians would be very glad to have such an arrangement made; it would tend to make them reconciled to staying in the southern country.

Q. If they could only wait patiently for three or four years, four or five cows to each family of five would give them a herd of fifteen or twenty cattle, and they might then begin to use the steers?—A. (After consultation with a couple of his comrades.) We have been thinking it would be a good thing to have, once in a while, a bull among them.

By Mr. **PLUMB**:

Q. Have they ever been forbidden to hunt, or are they permitted to hunt as they desire by going away?—A. There is no trouble about getting permission to go to hunt.

Q. Now, about the complaints of these Indians that went away: state, if you know, whether they made any complaint about lack of medicine for themselves or their children, or the services of a doctor for the sick generally; whether they ever asked for medicine that they did not get, or for the services of the doctor and did not get them; and if so, what reason was given why the doctor did not attend them, or furnish medicines?—A. The doctor used to send them medicines, and sometimes come and see them when they sent for him; but he did not do them any good. When they could get the Army doctor from the post here, he was generally more successful.

Q. Was there an unusual amount of sickness compared with what they had at the north, or sickness of a different kind from what they had up there?—A. They were always very healthy up there; they never were troubled with sickness as they were here at all; there the weather was cooler and they had good water to drink, and everything was better up there.

Q. How many of your people—the Northern Cheyennes—died?—A. I could not tell exactly, but there were upwards of fifty died.

Q. How long had the two tribes, or the two branches of the same tribe—the Northern and the Southern Cheyennes—been separated from each other, and what caused the separation; was it caused by any enmity between them, or did they just accidentally drift apart?—A. That is something I don't know anything about myself; it happened before I was born, and I am fifty years old. When I was a boy, more than forty years ago, I remember of parties leaving the country up there then to come down and join these Southern Cheyennes; the first Cheyennes must have come down here more than a hundred years ago; I have heard my father say that as long ago as *he* could remember there were some Cheyennes living down here on the Arkansas.

Q. There never was any war between them?—A. No, not that I ever heard of.

By the **CHAIRMAN**:

Q. How many Northern Cheyennes came down here in the band with which you came down?—A. A great many; I cannot tell the exact number.

Q. There were as many as a thousand, or more than that, were there not?—A. About a thousand, I should think.

Q. How many of those that came went back?—A. I think about three hundred and fifty, counting men, women, and children; it may be more than that.

Q. Was there any trouble between those who went away and those who staid? I am speaking of those who came down here from the north. Did those who went away get into any quarrel or trouble of any kind with those, or any of those, who remained here?—A. There was some quarreling; some of those who remained quarreled with some of those who went away.

By Mr. **DAWES**:

Q. Why didn't the rest of the Northern Cheyennes go away?—A. They hadn't any horses to go with. That was the principal reason why they staid.

By the **CHAIRMAN**:

Q. Did those who went away camp off by themselves, at a distance from the other Northern Cheyennes, before they started?—A. Those who went away got by themselves at first; then these others, when they found we were going north, said we had thrown them away—given them to the Southern Cheyennes.

Q. I see, in Agent Miles's report to the Commissioner of Indian Affairs, that "the Northern Cheyennes transferred to this agency brought with them, and had in their possession, over one hundred Springfield carbines with them," which they concealed. Did you give them away or did you bring them down here?—A. When they came in, after having been at war at the time of the Custer fight, and surrendered to General Mackenzie, they gave up their arms and horses; but they were given a good many of them back again to hunt with—both horses and arms—and those guns were the guns they brought down here.

Q. Were those the arms that these men had when they started north?—A. When we were removed down here we had to give up our arms, and they were not given back to us any more. The arms we had when we left to go north again were arms we bought from the other Indians around here, who came here trading. The Pawnees, Sacs, and Indians of other neighboring tribes used to come here to trade, and we used to buy arms from them.

Q. State how many fighting men started north, and whether they were all armed; or, if not, how many of them were armed.—A. Fifty or sixty armed young men started north who had guns when they left here; they were all killed.

Q. Give a full account of the trip north and what occurred.—A. After leaving here, we started directly for our old home; we had no purpose to fight anybody, nor hurt anybody, nor injure anybody's property on the way. We had camped out three or four nights when we were overtaken by the United States troops; they sent an Arapahoe out ahead to talk with our Indians; the Arapahoe told our Indians that the troops had come after them to take them back to the agency. Little Wolf answered for our Indians that we did not want any trouble, but we did not want to go back to the agency; that we were willing to plow and work at farming, to give up our children to go to school, to do anything, but we wanted to do it in our own country. We told them that we were afraid to go back; we were afraid that if we went back we should all die of sickness; that we did not want any trouble with the soldiers; we wanted them to go back and leave us alone to go peaceably on our way to our northern home. The Arapahoe, who had been sent on ahead to talk with us, then went back to the soldiers. Then the troops fired on us. We moved on from there, and afterward were again attacked by the troops several times. In every case we were attacked. These attacks continued until we got up to the creek where we had the last fight with them—the creek, I don't know the name of it—this side of Smoky Hill. We were not overtaken after that, and I did not see any more fighting till we got to Camp Robinson.

Q. Do you know what Indians killed the settlers along the route, and stole horses, and committed other depredations?—A. I don't know what young men killed the settlers; all the fighting young men I knew of were killed.

By Mr. PLUMB:

Q. How many horses did you start from here with?—A. I think we must have had between four and five hundred when we started from here; but when we were chased by the troops our horses soon began to give out; and a good many of them were killed by the troops.

Q. Do you know where your Indians first encountered any cattle-camps—camps of cattle-men, and what took place? Whether any of your men killed any of the herders, or any of their cattle or horses, or took any horses?—A. I think the first we saw any cattle was on the other side of the Cimarron; I do not know where they first killed any herdsmen, if they killed any.

Q. Do you know about any cattle, or any herders of cattle, being killed at all?—A. I did not hear of any being killed.

Q. Do you know of any horses being brought into your herd about the time of coming to cattle camps?—A. I noticed the young men bringing in fresh horses pretty often, after getting the other side of the Cimarron.

Q. Did they continue to get fresh horses from there on, until they got to the Platte?—A. They brought in fresh horses every once in a while, all the way, until they got the other side of the Republican; I know of two horses being taken from a couple of boys about the Beaver Fork of the Republican.

Q. What became of those horses?—A. When we surrendered at Camp Robinson the horses were all given up to the military there.

Q. Where did the young men begin to bring in guns and revolvers, in addition to those they had when they left here?—A. I did not notice anything of that kind at all; I noticed the horses being brought in, but I did not notice any extra guns or revolvers at all.

Q. How many buck Indians went away at the time that party left here?—A. Of full-grown men, fighting young men, there were not over sixty; including the old, and the boys nearly grown, there may have been ninety.

Q. How many were armed at the time of the fight with Captain Rendlebrock, at the Dodge, and at the time of the fight with Colonel Lewis south of the Smoky?—A. Between fifty and sixty; certainly not over sixty were armed to fight.

Q. Where did you first notice that the young men, or any portion of your party, were bringing in blankets, clothing, household articles, &c., along the line; and how long did that sort of thing continue?—A. The first I noticed anything of goods belonging to white settlers being brought in, was after we passed the North Platte; I suppose they got them before, but concealed them.

Q. Did you know or did you hear of anybody being killed by any persons belonging to your party?—A. None of those who may have committed murders ever told me anything about it; I used to keep advising them to behave themselves as they went through the country, telling that all we wanted to do was to get north; that we wanted to commit no depredation; and the young men who committed depredations and did mischief, never told me anything about it; they concealed it from me.

Q. When was that buffalo hunt of which you have spoken?—A. In the early winter of the same year that we arrived here. (Explained by interpreter—"the winter of 1877-'78.")

By Mr. Dawes (to interpreter):

Q. Was he among those who were taken prisoner at Camp Robinson?—A. He was; he was one of the three that were put in irons.

Q. (To witness.) I wish you to relate the whole story of what occurred at Camp Robinson, in your own way, from the time you were taken there in the snow storm by soldiers, until you broke away.—A. The soldiers met us between Snake Creek and White River; they had Sioux scouts with them, through whom they communicated with us; we surrendered to them and were taken to Camp Robinson; there we gave up our arms and horses, and they gave us something to eat.

Q. Did you have anything of your own to eat when you surrendered?—A. When we surrendered we were out of everything to eat; we had been eating our horses that had given out.

Q. Did you have many horses still on hand?—A. We had about a hundred yet.

Q. After surrendering and giving up your arms to the soldiers, what did the soldiers do?—A. We surrendered and gave up our arms and horses before we arrived at Camp Robinson; we were put into wagons and hauled there; after getting there we were put into a large building; then another detachment of soldiers started out from Camp Robinson to hunt for the remainder of the band that were still missing—for Little Wolf's band; I was taken out with them; although a prisoner, I had to accompany them as guide and interpreter to help find the other Indians, and to communicate with them when they were found; I suffered considerable hardships, for the weather was very cold. They made use of me in that way for some time, and then took me back to Camp Robinson.

Q. Go on with the story; tell what occurred after you got back to Camp Robinson.—A. We were confined in the guard-house for some time; it was in the winter or very early spring; the winter was about breaking up, but it was very cold yet. One day the officer in command sent for me to come out, saying he wanted to have a talk with me; I saw there was a row of soldiers outside under arms, and at first I refused. Then they called for Hog and he went out; then I went out, too; we both were barred into a room like this, where there were writing materials; pretty soon the soldiers made a break for Hog; there was something went on that I didn't see very well, some sort of a scuffle, and the soldiers surrounded Hog and ironed him. I heard afterward that in the scuffle one of the soldiers was stabbed by Hog; I was myself sitting on a chair, with a soldier guarding me; when I saw that they had Hog ironed, I said, "Come on and iron me, too;" I let them iron me without any trouble.

Q. Did they tell you or Hog what they wanted you to come out for?—A. As soon as we went into the house they told Hog that we were to be sent back south; that was as far as we heard; then they made a rush and proceeded to bind us, and put irons on us. After they began to iron us, Left Hand and an old man there, a big fellow, came in and told them to put irons on them too; they said to the soldiers, "If you are going to iron them, iron us, too;" and they did. Then they took us away; we were not with the others when they broke out.

Q. Tell all that you know about their breaking out.—A. They took us four away, and confined us in another place. Later on, about sundown or a little before, they told us to come out and call for our wives and children who were with the others in the big building; we went and called out, and got our wives and children, and they went away with us. I had not got asleep that night when I heard a noise of firing up where the main body of Indians were confined; I did not see that fight at all.

Q. Relate all you afterwards heard from the Indians who did participate in that fight, in regard to the matter.—A. I heard that after those who had been left behind heard of our being ironed and taken away, and our relations taken out and placed with us, they were in great fear and trouble, not knowing what would follow or what might be done to them; and the young men of the band said, "Let us never go out and give up to these people, to be taken back south to the country we have run away from; we have given up our horses and our arms, and everything we have, and now they are starving us to death; we have been without food and fire for seven days; we may as well die here as to be taken back south and die there." So they would not come out; the soldiers wanted them to come out, so that they could seize them and take them south. That was the way the Indians yet in the guard-house were talking during the afternoon. But they kept on talking the matter over, and by night they had made up their minds differently. They said, "We have got to die, but we will not die here like dogs; we will die on the prairie; we will die fighting." And then they made their arrangements to escape or die in the attempt. Dull Knife and his son were the first to rush out; then the troops immediately fired on them.

Q. Was there any arrangement before you and Wild Hog were put in irons to break out?—A. There was no desire to fight or to break out on the part of the Indians confined there, before they heard of our being seized and ironed; on the contrary, when the Little Wolf party split from us, before we gave ourselves up to the Camp Robinson troops, all those who did not think they had had enough of war separated from us and started up to go to the Little Wolf band; and we had determined to give ourselves up to the troops at Camp Robinson and behave ourselves; that was the understanding up to the time we were taken out and ironed.

Q. How came those Indians who broke out to have arms to fight with, and fire upon the soldiers with, if they had surrendered all their arms when they were taken and put into this house?—A. They pretended to give up all their arms, but I heard that some of the young men had arms; they must have concealed them in some way.

Q. State, if you have ever heard, what became of those Indians that broke out, after the fight ended?—A. A great many of them were killed that first night when they broke out. The next morning one of the officers came in and said he had had a fight with them and had killed a great many; he asked me if I would like to see their dead bodies; I said I would; I went out to the wagon with him and saw there the dead bodies of a great many men, women, and children. I afterward heard that all the rest of the men were killed, and the women and children taken prisoners.

Q. How many women and children did you see lying there, killed, at that time?—A. There were twenty-two women and children.

Q. How were the Indians treated while in confinement at Camp Robinson, up to the time that you and Wild Hog were called out and put in irons?—A. Before we were told that we had to go back south, and answered that we didn't want to go back south, we got an abundance of food—more than we got here from the agent; after that our food was cut off altogether.

Q. What was said when that order was issued, and what did you say?—A. We were told that we must come south, and if we did not agree to come south, they would quit issuing rations to us. Dull Knife answered that we ran away from the southern country because we were afraid to die of sickness, and that we might as well die where we were as to go back south and die there. Then they quit issuing.

Q. Did they stop your rations altogether?—A. Yes, entirely.

Q. Did they stop your fuel, too?—A. They did not give us either wood or water.

Q. For how long a time?—A. For six or seven days.

Q. Had you good clothing?—A. We had some clothing, but not much; we had not been suffering from cold very much; it was not very cold weather just then, and the house we were confined in was a pretty warm one.

Q. Had you any food to live on, independent of those rations, in those days?—A. We were without anything whatever to eat. One could tell by looking at the bodies of those who were killed, and those who were brought back prisoners, that they had been nearly starved to death, they were so emaciated.

Q. Did you make complaint that you were starving to the Army officers there?—A. We did not tell them that we were starving; we knew that would not be of any use; for the soldier chief told us, through the interpreter, that he was going to starve us; the soldiers knew that we had nothing to eat; our people said, "You can starve us to death; we would sooner die than go back south."

Q. Did the soldiers come into the room where your people were confined while you had no rations?—A. None of them entered; they walked close outside, but did not come in.

Q. Were the Indians peaceably disposed during those days, up to the time when you and Wild Hog were seized and put in irons?—A. Everything was quiet; they did not do anything but sleep, and try to pass away the time as well as they could, for they had nothing to eat.

Q. Did they not tell you that if you would agree to go south you should have rations again?—A. Yes; that is what they told us.

Q. How have you been treated here, at this agency, since you came back to the south?—A. Personally I have had no trouble; no quarreling, or difficulty with anybody; I have staid pretty much at home, and not mingled with either the white people or the Indians; but I don't like it here any better than I did before. As for rations, if there is any difference, there is not as much issued now as there was before we went north.

Q. Do the Southern Cheyennes treat you well?—A. They do not trouble me; but, as I have just said, I do not have any communication with them.

Q. Do the government officers treat you well?—A. I have had no trouble with any of the white people since I came back here; I have been out only a few times since I came back; I have not asked the agent for anything; I have received my rations, but they have been drawn by the women; I have just remained home and kept quiet.

Q. What is the matter with the rations, that they are not as good as they were when the Northern Cheyennes first came here?—A. The only difference has been, since I came back they have been out of some articles, more than they used to be when we first came here, till the last one or two issues. They have lately got a lot of sugar and coffee; and just now they are issuing flour again. They were without flour a long time, and without coffee a long time, since I have been released.

By Mr. MORGAN:

Q. How long were they out of those articles?—A. I could not tell you how long; they had none when I got back, and had none for awhile after I came back; but they are all right now.

By Mr. DAWES:

Q. Have you any fault to find with the beef that is furnished now?—A. The only fault, or the main fault, with the beef now is that it is not fat.

Q. Did they have any better beef up north than they have here now?—A. The cattle were always in a better condition up north, at the Red Cloud Agency, where we used to belong; the grass was better, and so the beef kept in better condition on that grass. We also received better issues of bacon, and everything else, nearly, up there than we do down here. The tobacco we get here is about an inch off from the end of a plug, while there we used to get half a plug for the same number of people.

Q. Is there any other fault you have to find with matters here?—A. Another thing is, we are allowed to trade only at one store; there is no competition, and so we are charged exorbitant prices for everything we get; and on the other hand, we get very small prices for our beef-hides. I think we should be allowed to trade at the post trader's.

By Mr. MORGAN (to the interpreter):

Q. How came they to have hides to sell?—A. The beef is issued to them on the hoof; so they have the hides; they sell them for two dollars a hide.

Q. (To witness.) Are the same rations issued to the children as to the grown people?—A. Yes; the rations are issued to all alike.

By Mr. PLUMB:

Q. How often do they issue flour?—A. Once a week—every Monday, but they have been out of flour a good deal of the time.

Q. Do you get any game?—A. There are a good many deer, and a good many antelope and turkey in the country, but ammunition is very hard to get to hunt them with.

Q. What do you do for guns to hunt them with?—A. There are a good many guns among the Cheyennes here; we always have guns.

Q. Do you have to buy ammunition?—A. Yes, sir. (The interpreter adds, "I do not know how they get their ammunition; they are not allowed to buy it out of the store.")

Q. (To the interpreter.) Do they get money from the government or from any source except the sale of hides?—A. The only way they have to get money is from the sale of beef-hides, and sometimes a buckskin, and what little things the women make to sell—moccasins, &c.

By the CHAIRMAN:

Q. Is there anything more you would like to say now before the examination is ended?—A. I do not know that I have anything further to say, only that I am here now after undergoing a great deal of hardship, and I am willing to stop wherever the government wants me to, whether south or north; I will stay in whatever country the government tells me to, whether good or bad, though I do not like it here.

Q. What is the matter with this country that you do not like to stay here?—A. I do not know that I can say any more than I have already said to the committee, that I love the country in the north where I was born; besides, everything there is better; the water is colder, purer, and better to drink; the climate is pleasanter and healthier; it is a better hunting country than this. Almost all my relatives and friends are up there; I have a mother up there yet, and I have a daughter up there who is married; and I must live separated from them all the rest of my life.

Q. Cannot they come down here?—A. My daughter is married to a white man up there.

By Mr. **Plumb**:

Q. State whether the Northern Cheyennes that have been removed down here still have relatives left in the north, and whether that removal has necessitated the dividing of families.—A. The Northern Cheyennes who have been removed down here have relatives at Tongue River, and on the Yellowstone and the White River, and all through that region. The old people up there have children down here; the young people up there have parents down here; the women up there have brothers down here; and our families are all split up in that way by this removal.

Q. Does that result from intermarriages between the Cheyennes and the Sioux?—A. Only in part from that. There are a considerable number of Cheyennes at General Miles's place; there are fifty-six or fifty-seven women and children belonging to the Dull Knife band, who were captured up there and given to the Red Cloud Sioux. Then there are two hundred and sixty Cheyennes at Tongue River who have relatives here, and these Cheyennes here have relatives among them.

Q. You say you expect to stay here; what do you expect to do here—farm, hunt, fish, or what? In what way do you expect to occupy yourself?—A. I expect to go to farming, and try to do something to help myself.

Q. How do you expect to get your land broken, to obtain farming implements, &c.?—A. I don't know; I have got nothing, not even a single horse; I came down here afoot; I don't know how to do it, but I want to do it, if I can. I was at a council where Mr. Mohler told me that a wagon would be furnished me; I don't know how that is. I did not feel like doing anything for awhile, because I had no heart; I did not want to be in this country; I was all the time wanting to get back to the better country where I was born, and where my father was born and is buried, and where my children are buried, and where my mother and my sister and other relatives yet live; so I have laid in my lodge the most of the time, with nothing to think about but that, and the affair up north, at Camp Robinson, and my relatives and friends who were killed there. But now I feel as though if I had a wagon and a horse or two and some land I would try to work. If I had something, so that I could do something, I might not think so much about these other things. As it is now, I feel as though I would just as soon be asleep with the rest.

By Mr. **Morgan** (to the interpreter):

Q. Did he lose any children in that fight at Camp Robinson?—A. He had a niece killed up there, and other relatives; and he has children of his own, who lie buried in that country. The oldest man present in that party at Lawrence had five sons killed in that massacre, and six women and children of his family and theirs besides, making in all eleven of his immediate relatives who were killed.

By the **Chairman** (to the interpreter):

Q. Is there anything more that the witness would like to say?—A. The interpreter held considerable conversation with the witness, which the former finally summed up as follows: He hopes that you will interest yourselves in behalf of those people who are confined at Lawrence, and have them released; he says they personally did not commit any murders or depredations, and have been confined a long time; their people are greatly troubled about them; the oldest man was not able to do any harm anyhow, for he is only a child. He says, in conclusion, if you cannot get the agent to let him have a wagon and a team of horses to work with, he wishes you would try to get him a pony to ride on, as he is getting too old to run around on foot.

POWDERFACE.

FORT RENO, IND. TER., *August* 19, 1879.

Powderface, Tall Bear, Cut Finger, and Big Mouth, representatives of the Arapahoes, appeared before the committee, and the first named, upon invitation, spoke in behalf of himself, his companions, and his tribe, as follows:

When I heard that a delegation of chiefs had come from Washington to see the Indians, I felt very glad, because I supposed they had come in the interest of the Indians, to see how they were situated, and whether anything could be done to better their condition; so I was glad to see them; I have been to Washington twice, and saw the President and the Commissioner of Indian Affairs, and the talk we had I have never forgotten; the advice and instruction they gave about what they wanted me to do I have always followed; the promises I made them I have always adhered to. I am glad you have come here, for now you will see that the Arapahoes are living as they promised the Great Father in Washington they would live.

When I was a boy, still a little child, the country which the Southern Arapahoes claim as theirs was north of the Arkansas River, from there to the Republican River and back to the Rocky Mountains.. That was the country my father lived in. That was all the country I knew anything about until I was nearly grown, almost a young man. I knew nothing about this country down here then. I grew up, as a young man, to consider myself, as all young Indians do, as a warrior, thinking that the main thing for an Indian to be was a good warrior and hunter. While still a young man I went out on all the different raids with the Utes, the Pawnees, the Crows, and the Snakes.

In those days the buffalo roamed in countless numbers all over the country. The Indians never felt the want of food; if they got hungry and wanted anything to eat, all they had to do was to kill a buffalo. The Great Spirit had given them everything an Indian needs—plenty of grass for their horses, plenty of game for food; they did not want for anything.

I was brought up a warrior, and took pride in being a good warrior. I had a great many fights with other Indians.

Then the whites came into our country. The whites wronged us; they were the first to commit a wrong, before we had ever injured them; true, it was not a very serious wrong. They crowded us out from the country we had been roaming in most, and moved us down toward the heads of the South Platte and the heads of the Republican. Then the white people crowded upon us again, and gave us a reservation in the Purgatoire country, and told us that was to be our home. But afterward we were taken away from there and brought here, and told that this was to be our reservation; and we have been in this country ever since the war of 1868.

Since that time I have been the head chief of the Arapahoes. In 1871 I was sent for to go to Washington; then the head men of the government at Washington laid out the present reservation. The Arapahoes were told to remain at the agency here, and were promised that this should be their reservation forevermore. The government wanted them to settle down here and live as the white men did; they promised to do so; and all the pledges that we gave we kept; now that you have come to visit us, you will find that we have not thrown one of them away.

By Mr. MORGAN:

Q. Who participated in the war of 1868?—A. The Arapahoes, the Southern Cheyennes, the Comanches, and the Kiowas.

Q. Where were you located at the close of that war?—A. We were kept for a while at Camp Supply; in 1870 we were brought here; in 1871 I went to Washington, and was told that our agency would be here; when I came back here I told the Arapahoes and Cheyennes what I had been told in Washington, and that the Great Father had given me a good road [explained by the interpreter, "pointed out a good path to walk in"], and I meant to keep it. Although God intended the buffalo for the Indians, and they used to be what these Indians relied upon for subsistence, and although the white people have crowded out the Indians and killed off the buffalo, yet we hold no unkind feelings toward the white people; we intend to obey the advice of the government and live as the white men are living. The Indians and their children all belong to the same Great Spirit as the white people and their children; hence the best thing the Indians can do is to learn the white man's road, and to do as the white people do for their children as they grow up. It is hard for old Indians to break up the habits which they have followed for all the years of their life and become like white men; but we intend to raise our children in the white men's road, so that they can earn their living as white men do. I know, because I have been to Washington and have seen the great power of the white people and the great numbers of them, that the only thing for us to do is to live at peace with the white people and become like them, and bring our children up to live like them. That is the only way the Indians can get along.

By Mr. MORGAN:

Q. Are you and your tribe, the Arapahoes, satisfied with the Northern Cheyennes coming down here?—A. I intended to speak of that as I got along to it.

Q. Well, proceed in your own way; I thought you were through.—A. When we first came here and were assigned to this agency, they had here an old general named Darlington; he died, and then Mr. Miles was assigned here, about 1871 or 1872; then I went to Washington with a delegation of Indians, Arapahoes and Cheyennes; after getting there, a delegation of Northern Cheyennes and Northern Arapahoes also arrived there. We were told by the Commissioner that he wanted us to give our children to the agent to be instructed in the school; the agent went there, to Washington, with us; we promised that we would give our children up to the agent to go to school; we told the Commissioner we had no objection to giving up our children to the agent to be sent to school. Then the Commissioner said that he would have houses built for us, and would give us cattle, and hogs, and chickens, and other things to start us on the white man's road. The agent was there at that council and heard what was said by the Commissioner about what was going to be furnished. A long time has passed since then. I have repeatedly been to the agent and have asked him "When are you going to give us those horses, and those cattle, and those hogs and chickens? When are you going to build us those houses? When are those other promises going to be fulfilled that were made us when in Washington?" But no attention has been paid to what I have said; he pays less and less attention as the years go by, and now appears to care less than ever for our wants. We ask for the fulfillment of those promises in vain. If they had not intended to fulfill them they ought not to have made them; then we would not have been all the time expecting them and felt disappointed, and as if we had been wrongly treated when we failed to get them.

When I went to Washington I was well treated; they gave me presents, and they promised me that the agent would be furnished a lot of annuity goods to be distributed among my people. The goods were afterward sent here; they were brought to this agency in wagons; they were seen to be here; but instead of issuing them the agent has hid them away; he stowed them away, and used them in the mission; some of them are used up, and some of them are there yet. Those goods were brought here, according to promise, to be given to the Indians. Moreover, from time to time, at the yearly issues, a part of our annuities have been stolen from us—misappropriated—issues that we were to get every year, since that talk in Washington.

Instead of getting additional rations as we were promised, our rations have been getting worse and worse every year. When we first came here we got along with the beef and other rations without getting hungry, but from year to year they have grown less and less, as well as poorer and poorer, until now we are hungry all the time. The principal trouble is with the beef; it is poor, and there is not nearly enough of it. The Cheyennes and Arapahoes have talked about it; they met together and consulted upon the subject; they thought it would be good to speak to the agent about it; they thought the agent was the one to speak to first, and they selected me to speak to him about the matter. I did so. I told the agent it didn't matter so much about the issues of sugar and coffee and flour being small if we could only have enough beef to eat; we eat all the beef that is now given us in two or three days, and then for the rest of the week we do not have any.

By the CHAIRMAN:

Q. When was this conversation?—A. I have talked with him about it often, from time to time.

Q. Lately?—A. Yes; only a short time ago. I have repeatedly spoken to him about having houses built. Quite a number of the Arapahoes and Cheyennes want to do as the Commissioner told them to do—to try to farm, to raise corn, and so on—but a great many of them have not been able to get plows; a large number of them want houses, but cannot get them. And matters are getting worse all the time. For the last month we have been getting less beef than ever before; forty or fifty persons get only one beef for a week, when awhile ago a beef was given to every twenty or thirty persons.

Q. Are they not heavier than they were before?—A. That must be the way of it, but they, the Indians, do not take that into consideration. Another evil that results from this way of letting so many of them, all together, have one steer, is this: When one ox is killed for a company of say forty-five persons, they try to arrange so as to have just about that many in a neighborhood; now if a part of them are not there, if four or five of them are camped out somewhere else, they can't get in with anybody for this beef, and are entirely left out; they get none at all.

Q. Would you prefer to have the beeves delivered to the chiefs?—A. No, sir; I was going to say that for some reasons it would be better to have smaller beeves; it would be handier dividing them up; it is not handy to gather for meals, for one beef, to the extent of forty or fifty Indians, as they are scattered around all over the country. Another thing is, the cattle ought to be kept of one standard—as nearly as possible of the same size; when one day a steer is given out that is large enough for forty-five persons, and the next one is only large enough for thirty or thirty-five, the company, as it was before, has to break up; the extra ones are not enough to form into another company that can have a steer of its own, and there is great trouble and confusion sometimes in their so arranging themselves as to get their rightful share of the beef. Another reason why the Indians rather have smaller cattle is, they utilize the whole thing—all the offal, the insides, as well as the hide, which belongs to them and which they sell; and there is a larger percentage of that sort of material in a small animal than in a large one.

Q. Has he not got along about to the point where he is going to speak of the coming of the Northern Cheyennes? (This to the interpreter, who translates the suggestion to the witness.)—A. Yes; the Northern Cheyennes came down here, after traveling a long journey; after two or three issues, they found that the rations were not such as they had been promised they were to get, not even so good as they used to get up north; they had a talk about it with the agent, but that did no good; they soon began to get discontented and to talk about going back north.

Q. What did the Arapahoes desire about that; did they want them to go back or to stay here?—A. They got along very pleasantly with the Arapahoes; the Arapahoes were very glad to see them; as soon as they got down here we began inviting them to our feasts; we went visiting each other, and were on first-rate terms; but after a little the Northern Cheyennes got dissatisfied about their rations and scared on account of the sickness that happened to be here that summer.

Q. How did the Southern Cheyennes receive them?—A. I did not hear of any disagreements between them; I know the Southern Cheyennes extended an invitation to the Northern Cheyennes to come down to this country and live with them. The first trouble or cause of discontent that I heard of was their food, and afterward the sickness that occurred among them.

Q. What do you consider to be the Cheyenne and Arapahoe Reservation secured to them by the treaty?—A. The Commissioner told me that the Arapahoe Reservation was to be all the country between the Cimarron River and the main Canadian, and extending from where the cattle-trail crosses the Canadian and Cimarron to the other side of Camp Supply. (Explanation by the interpreter—"meaning the one-hundredth meridian.") The Cheyenne country was to be separate; they were to have another reservation. Their reservation was to extend from the Cimarron River to the Kansas line, the Cimarron being the southern line. This would run their reservation to a point at the place where the Kansas line crosses the Cimarron, and leave them a three-cornered place between the Cimarron and the Arkansas. This is what I was told; it was merely talked of, I understood; I never knew whether it was actually settled that it should be so.

Q. Who came here first, the Cheyennes or the Arapahoes?—A. They both came here together.

Q. Are any of the Arapahoes living in the Cheyenne Reservation—in that region between the Cimarron and the Arkansas Rivers that you say you understood was to be their reservation?—A. There are no Arapahoes on the other side of the Cimarron, and I do not know of any Cheyennes over there; they have both been staying here together. When the Cheyennes began to farm here—to raise corn in this country—it did not look right to me; for I understood that this was our country, the Arapahoe Reservation, and that the Cheyennes were to have a separate reservation up there.

Q. Are any of your people raising corn in this country and settling down to farming?—A. Nearly all the Arapahoes are engaged in farming to a greater or less extent.

Q. Have they got lands set apart to them by the government, and papers to show that those are their lands?—A. None of them have any papers to show for their lands; no land is assigned to them in that way, at all; they just go and pick out a place and tell the agent they are going to farm there, and stick up a sign so that people can see that they are farming that place; that is all.

Q. Have you been trying to raise any cattle; and, if so, what success have you had?—A. Some few of the Arapahoes have cattle of their own; I have more than any other Arapahoe.

Q. Has the government ever furnished the Arapahoes, or any of them, with agricultural implements?—A. Yes; it has furnished some of them with plows and hoes and harness; there were not enough harness furnished to go with the plows, and they had to borrow from one another.

Q. Do you raise any horses and mules?—A. Some of them have a good many ponies, but very few of them have mules; here and there you will find an Indian with one or two mules. The most of them do their plowing with ponies, and they have a hard time doing it; they are green at it, they do not understand breaking; but still they manage to get along in some way, and do the best they can.

Q. Do they succeed in raising good crops?—A. This year a great portion of the crop has failed on account of there being no rain; here and there in places, where the ground is not so dry as it is in other places, there is very good crops.

Q. Have you ever tried to raise wheat?—A. The government has never issued any wheat to us so that we could have any for seed. While we have complied with all the requirements of the government, and done everything that has been demanded of us, the agent has paid no heed to our wants, nor given any attention to our requests; all his promises have failed. The Arapahoes are trying to live in the best way they know how, at peace with everybody, doing whatever the agent demands of them; when the agent asked them to get wagons and pay for them by hauling supplies from Wichita, when they had to make three or four trips to Wichita to pay for a wagon, they did it, and afterward they still kept on hauling their supplies for what pay they then got. They furnished fifteen of their young men for a police force, in response to the call made upon them by the agent to look out for horse-thieves and other mischief-doers. I hope you will tell the Great Father in Washington what I have said to you, and hope it will have a good effect.

Q. How many Arapahoes are there?—A. As near as I can get at it, there must be something over two thousand. I am very glad that you have come; very glad to have this opportunity to speak to you, to explain this condition of affairs among us, and tell you why we are dissatisfied and what we think ought to be done, in order that we may get along better and be more contented. I have spoken to the agent about these things from time to time, a great many times; and when the agent told me it was not his fault, I tried to get him to let me go to Washington and talk there, but the agent would not permit that; so I am glad that you have come, that I can talk to you here.

Q. Where do these Arapahoes live—all over their reservation or right around here?—A. The most of them live close about here; some of them are on the Canadian, ten or twelve miles away, and others down on the North Fork, about the same distance; the farthest off are those on the North Fork, as far as fifty miles. You can count on fifteen hundred—that is, three-fourths of the whole number—being within twelve miles from here.

Q. Do they live in houses or tepees?—A. They all live in tepees but one; they are in small bands.

Q. Do those who cultivate ground live near the streams, or out on the prairie?—A. They live altogether on the prairies; none of them are far away from streams.

Q. How is it about their health now?—A. There is some sickness now, especially among the children; there has been more or less sickness among them ever since they were removed down to this agency; before they were brought down here, when they lived a hundred miles farther west, they were always healthy; but since they came east, into a lower country than before, there has always been more or less sickness among them.

Q. What kind of sickness is most common among them?—A. They get yellow in the eyes and yellow in the skin, and have chills and vomit a great deal, and have headache and fever. [Explanation by the interpreter: "I should judge he meant fever and ague, and malarial fevers".]

Q. What doctors attend them in their sickness?—A. All the time heretofore, up to this summer, they have had one physician, and he did not appear to be very good at curing their diseases; but this summer another doctor, a young man, has furnished medicines.

Q. (To the interpreter.) Do they pay for their own medicines, or does the government furnish them?—A. The government furnishes them.

Q. (To witness.) Was there more sickness among the Northern Cheyennes than among the Arapahoes, and the Southern Cheyennes, that were down here before?—A. The sickness was just the same with the Arapahoes as with the Cheyennes; it was an unusually sickly summer; the measles got among the children was what made it worse. I hope this talk will result in good to both Cheyennes and Arapahoes, when the Great Father at Washington hears of it. I am the head man of my tribe; I am the man who has led my people to go in the good road, and brought them where they are now; they do not all of them do everything they ought to; but there are some who have followed my example, and are trying to do right. Although I am the head chief of the Arapahoes, I have had nothing given me more than is given to the poorest of my people.

By Mr. PLUMB:

Q. What kind of goods are they that have been withheld from your people and not delivered?—A. There is a great big herd of cattle over yonder on the Salt Fork—on the prairie between Pond Creek and the Cimarron; I hear it said it is agent Miles's herd of cattle; I would like to know who gave him that big herd of cattle.

Q. Is there anything else that you think belongs to your people that has been withheld?—A. Yes; goods of all kinds that have been furnished for issue and sent here by the government for the Indians; blankets, and calicoes, and clothing, and canvas for lodges.

Q. Where is it now?—A. I do not know where all of it is; but lots of it is stored over here at the school-house, over at the mission.

By Mr. MORGAN:

Q. Has not a United States officer been present every year when these goods were distributed, to see that it was fairly done?—A. Yes, sir; there has been one. (One of the Indians sitting beside the witness said:) When the goods come, they will tear off a piece of cloth *that* big (measuring on his arm), and there is not enough of it to make a shirt for a man, nor a dress for a woman, or even a child, and it is of no use at all to anybody, because there is so little of it that it can't be made into anything at all.

By Mr. PLUMB (to Powder-Face):

Q. Have you seen these goods yourself, that you say belong to you, but have been withheld from you; and do you know them to have been brought down here for the Arapahoes, and not for some other Indians?—A. I do not claim that they were brought down for the Arapahoes alone, but for the Arapahoes and Cheyennes. When I asked why those goods were not given out to the Indians, I was told they were brought to be given to the school; that they were intended for the mission. It is possible it may so, but I thought not so; I would like to know now whether it is so or not. Although these things have been going on a long time, my heart has been strong; I have not gone into any quarrel with the agent, nor made complaints, but waited for an opportunity like this. I hope when you get back to Washington you will try to have the Great Father there give us another agent, one who will have houses built for us, and who will do what we have been promised would be done for us. This is my last request. I hope I will have an opportunity, some of these days, to go to Washington again. I am done.

WILD HOG'S WIFE.

FORT RENO, IND. TER., *August* 19, 1879.

By Mr. DAWES:

Question. What is your name in the Cheyenne language?—Answer. "Ot-tum-mi-ne."

Q. Did you come from the north, with your tribe, to live here?—A. Yes, sir.

Q. Why did they not stay here all of them when they got here?—A. The main thing I complained of was that we didn't get enough to eat; my children nearly starved to death; then sickness came and there was nothing good for them to eat; for a long time the most they had to eat was corn meal and salt. Three or four children died every day for a while and that frightened us.

Q. How long have you been here since you came back?—A. I cannot tell just how long; but it was in the spring of this year that I came back.

Q. Do you live with the Southern Cheyennes now?—A. I am living with the band I came down here with, the Little Chief band.

Q. Are you any better satisfied now than you were before you went away?—A. I cannot see how it is bettered any; we now get only one beef now to every forty-five persons.

Q. Do they not have as much beef as they need?—A. I do not have near as much as I would like to have; our people generally are without meat altogether two or three days in every week.

Q. Do you not get as much as the men?—A. We all get the same.

Q. Do you mean to say that none of them get enough to eat?—A. Yes; they most all feel the same way—all make the same complaint.

Q. Is there any sickness among them now?—A. There is considerable sickness, but not so much as there was when we first came here.

Q. Do you do any work of any kind; if so, what?—A. I do not do anything except carry wood and water; I do not know what else I can do; the Indian I live with is not farming, and has nothing to do.

Q. If your husband were living with you, would there be anything you could do toward helping yourself?—A. I do not know.

Q. If your husband were here, and should have cattle given him, so that you and he could take care of them, and after a while have a herd of your own, would you do it?—A. I think that would be a good thing if we could get the cattle, but I do not see how we could get the cattle; and I do not know how we could farm when we have nothing to farm with.

Q. Suppose you had two or three cows, would you keep them and let them have calves, and after a while grow into a herd, or would you kill them and eat them?—A. We would not kill them if we had anything else to eat; if we should not get any more beef than we do now I don't know whether we could keep them or not.

Q. Is there anything you would like to say to the committee?—A. I have felt good that you have come and have sent for me, and have talked with me. I wish you would do what you can to get my husband released; I should like very much to have him released, as I am very poor here and do not know what is to become of me. If he were released, he would come down here and we would live together quietly and do no harm to anybody and make no trouble. But I never should get over my desire to get back north; I should always want to get back where my children were born and died and were buried; for that country is better than this in every respect.

Q. What is better in that other country that in this?—A. Everything is better; there is abundance of gold in the Black Hills, in the country we came from, while there is no gold here; there is plenty of good, cold water there, pure water, while here the water is not good; it is not so hot there, nor so sickly. Everything is better there than here. Are you going back to where my husband is?

Mr. DAWES. We do not expect to go there.

WITNESS. Can you tell when he is likely to be released?

Mr. DAWES. We cannot tell.

WHIRLWIND.

FORT RENO, IND. TER., *Aug.* 19, 1879.

Whirlwind, White Horse, and Big Horse, representatives of the Southern Cheyennes, seated themselves together, and the first named was examined as follows:

By Mr. PLUMB:

Question. How long have you been a chief among the Southern Cheyennes?—Answer. I have been a chief for many years; it may have been fifteen years or more; ever since I was a young man. Since I have been a chief I have never done anything to be ashamed of. Here is a medal, received on one of my visits to Washington, and I am very proud of it.

Q. How long since the Northern Cheyennes and Southern Cheyennes separated?—A. It must be sixty or seventy years ago, or more; when my father was a boy they separated, and a part of them came south.

Q. Do you consider the Northern Cheyennes and Southern Cheyennes as being still one tribe of Indians?—A. Although they have been long separated, and been like different tribes in a great many respects, still they speak the same language, and have been accustomed to consider themselves the same tribe.

Q. Were you glad to have the Northern Cheyennes come down here and live with you?—A. We were very glad when they first came down here; glad to have them come together again.

Q. Did all the Southern Cheyennes feel the same way?—A. So far as I know, we all felt glad to have them come down here; we felt as though the Northern Cheyennes were a part of our people, our brothers, and were gratified to have them with us.

Q. Do you remember going to Washington with a number of other chiefs in 1873?—A. I remember going there six years ago, whatever date that was; Little Rogue, Stone Calf, and White Horse, here, went there at the same time.

Q. What was your purpose in going to Washington at that time?—A. We went there for the purpose of meeting the Northern Cheyennes, and having a council in regard to bringing the Northern Cheyennes and Northern Arapahoes down here; to meet as we are meeting with you here to-day, and talk upon that subject.

Q. Did all the chiefs who went with you tell the Northern Cheyennes that they would be glad to have them come down here?—A. Yes; we all of us told them that we would like very much to have them come down here; we said to them, "We are the biggest part of the tribe, you are the smallest part; we have plenty of buffalo and other game to hunt; we would very much like to have you come down here with us."

Q. When the Northern Cheyennes came down here, did the Southern Cheyennes receive them cordially, or was there trouble between them, or has there been any trouble between them since that time?—A. When they came down we welcomed them warmly; we said to them, "Brothers, we are very glad you have come down and joined us; we are glad you have come to make this your country, to live with us as one people; now we want you to join us in whatever we have already commenced to do; to learn how to farm, as we have done; to give your children up to the schools, as we have done." Then we went and bought provisions and invited them to a feast with us, and tried in every way to make it pleasant for them.

Q. How long before the Northern Cheyennes became discontented down here?—A. I didn't hear any of them talk especially about wanting to get back until after the first winter; but they were disappointed in what they had issued to them; and it was very sickly for a while after they came down, and a great many of them were sick, and quite a number of them died; and in the spring I began to hear a great deal of talk about wanting to go back.

Q. Had the Northern Cheyennes the same rations issued to them that were issued to the Southern Cheyennes, and in the same way?—A. If rations were issued to anybody different from others I did not know it;

everybody had the same amount issued in the same way, Arapahoes, Southern Cheyennes, and Northern Cheyennes.

Q. Was there enough issued to the Northern Cheyennes to keep them from being hungry?—A. One thing that they said was true; though I did not see anybody starve, I know that they did not get enough to keep them from being hungry. They were a people brought up to live on meat, and having meat for their main subsistence; and when they came down here they could not get as much meat as they had been accustomed to having; they did not get meat enough to prevent them from getting sick; their stomachs troubled them.

Q. Was the amount of meat that was issued enough to keep the Southern Cheyennes from getting hungry?—A. Knowing you to be the representatives of the government, I speak to you as to the President. I will tell you just what is the truth. I must say they never did have enough to keep them from getting hungry; the Southern Cheyennes and the Arapahoes got as hungry as the Northern Cheyennes.

Q. Did the Southern Cheyennes have cattle and products of work on land, which the Northern Cheyennes did not have; or did they have more game and more chances to hunt, or more guns and ammunition, and permission to go, or other advantages which left them more food, or an opportunity to get more food than the Northern Cheyennes?—A. The Southern Cheyennes were a little better-off, in some respects; some of them had raised some corn; they advised the Northern Cheyennes to do likewise; some of the Southern Cheyennes had some cattle, which helped them out a little once in a while. We were no better off as to guns than they; neither they nor we could get ammunition for our guns; we were not allowed to buy ammunition; if we could have had plenty of ammunition, it would have helped us a great deal, we could have killed antelope, and if we could not have found antelope we could have killed turkey. This would have furnished us food during the two or three days in the week when we had no beef.

Q. Did the Northern Cheyennes, after their arrival here, and before Dull Knife's band broke away, have, all the time, full rations of beef, flour, and other things issued to them?—A. There was seldom a time but something or other was missing from the rations; they were out of flour a part of the time, and a part of the time they were out of bacon; they were always out of something that ought to have been issued.

Q. Was there much sickness that year; and, if so, was there more sickness among the Northern Cheyennes than among the Southern Cheyennes?—A. There was a good deal of sickness that year; it was unhealthy generally for all the Indians here; but I think a larger proportion died among the Northern Cheyennes than among the Indians who had always been living in the south.

Q. Do Indians, when sick, desire to have medicines given to them like white men by a doctor, or do they prefer their own medicines?—A. In most cases where they are sick they call for the agency physician; but at the time the Northern Cheyennes first came here the medicines most needed were not to be had of the doctor at the agency; he had none on hand, he said; and when they sent for the doctor he would not come; there were a great many sick, and he was attending to other people, and so could not attend to them, besides his medicines of the kind they needed were all used up.

Q. How many of the Northern Cheyennes died?—A. (After consulting for some time with his companions:) I don't know, a great many of them died.

Q. Did the Southern Cheyennes, Northern Cheyennes, and Arapahoes all get the same annuities?—A. In regard to clothing and goods, they have been always issued in the same way, to one tribe as to another. But I must say they have been issued very poorly; in issuing calico, I don't know what use they expected us to make of a piece of calico as big as a handkerchief; it wouldn't make a shirt, and I don't know what it would make; then when they issued canvas, they issued not enough to make a tent, and and I don't know what it would make. It was of no use at all.

Q. Have all the annuities been paid you, to which you have been entitled, during the past few years?—A. I know that a great deal of the goods—stuff for lodges, and different kinds of cloth, and shawls, and all kinds of goods—have been taken over and stored at the mission, and have never been issued.

Q. Is this reservation—this part of the country in which your tribe is now staying—the one upon which you were located by the government? Do you consider this your reservation?—A. We always have considered this our country, in common with the Arapahoes; we were told this when we were first brought down here—the Cheyennes and Arapahoes.

Q. What did you understand to be the boundaries of the reservation? —A. I have always understood that the reservation of the Cheyennes and Arapahoes extended from the Kansas line to the Canadian River, and from the cattle-trail below here to the neighborhood of Camp Supply (the one hundredth meridian).

Q. What do you understand to be the reservation of the *Northern* Cheyennes?—A. At the meeting in Washington, when we first invited the Northern Cheyennes to come down here, we told them that we had a large country here—large enough to have the Northern Cheyennes hold it in common with the Southern Cheyennes and Arapahoes; and that we would be willing and glad to have them come down and live with us. There was no arrangement for the Northern Cheyennes to have a separate reservation.

Q. Did you ever understand that they, or any other tribe, had papers made out for particular lands, which they could have and hold, and nobody else take from them?—A. No; the promises that were made, and everything that was said, were only verbal; the only thing I have to show for that visit is this medal.

Q. Have your tribe, or any of them, received the agricultural implements which were promised them?—A. Plows and farming implements have been given to a good many; but the larger portion have not received anything to farm with yet.

Q. Have you wanted them?—A. All the Southern Cheyennes and Arapahoes want these things; they have been trying to elbow each other out of the way in order to get them; not half as many got them as wanted them.

Q. What reason does the agent give for not issuing these things to your people?—A. He said that the supply was exhausted, and he had no more to give.

Q. Have the Northern Cheyennes had anything of the sort given them—agricultural implements, seeds, &c.?—A. Some of them also received these things, but others did not, for the same reason.

Q. Do you know whether any of the Northern Cheyennes wanted to go to farming, beyond the number that received farming implements?—A. All those that didn't run away with Dull Knife wanted to farm, but most of them could not get any farming implements; those who ran away with Dull Knife did not want them.

Q. How long did the discontent exist among the Northern Cheyennes before they ran away?—A. I did not hear any complaints made, nor any talk about going back, until the spring after the summer when they arrived. The winter had passed, and they had been out on a hunt; towards summer they wanted to go out again; they said the agent did not listen favorably to their request, but told them they could not go out hunting any more; he told them that when they went out the winter before the government had to go out and get them back, and if they went out again the government would have to help them back again. They had been complaining about the sickness, and the issues, and that seemed to make them feel worse yet; then was the first I heard them talking about going back north.

Q. Did you know that they were going before they went?—A. Yes, sir, I knew it a long time before; they did not conceal it at all; they talked openly that they were going back north; they told the agent so, saying they could not stand it here; that they wanted to go back, and would go back.

Q. Would those that remained have gone north if they had had horses to go with?—A. I know that a part of them—Living Bear and Standing Elk and some others—did not go, because they said the government wanted them to stay, and they would stay; there may have been some who did not go back because they had no horses, but I know that the reason why a part of them did not go was because they did not want to go.

Q. Of those that were here at that time, have they become more contented than they were, or are they now disposed to remain here?—A. I know that the old band who first came down here have no idea now of leaving here and going back north; they intend to stay, and have gone to farming, and have given their children to the schools.

Q. How about the band that came down here last fall?—A. A part of the band that came down with me are reconciled to the country, and do not want to go back; a part of them, such as Crazy Mule and Raging Bear, left the discontented portion shortly after coming down here, and do not expect to go back; but the larger portion of the band that came down with me are still dissatisfied with this country, and do not want to stay here.

Q. Have the Southern Cheyennes any relatives north? Are any of their families related to the Sioux, or to the Northern Cheyennes, or are their connections all here?—A. The Southern Cheyennes have a few relatives up there, but have been away for a long time; their relatives up there are mainly among the Red-Cloud and Spotted-Tail Sioux; there has been a little communication from time to time between these Indians; they have traveled across the country to visit each other, and stopped for a year or two sometimes.

Q. Are the children of the Southern Cheyennes, or any of them, attending school here; if so, what proportion?—A. There is about a hundred of the Southern Cheyenne children in the school; that is all they want at present, until they get the other school started.

Q. Did any of the Northern Arapahoes come down here?—A. No; they are up north yet.

Q. Do the Indians here expect that the Northern Arapahoes will come down?—A. The Arapahoes here have been hoping to have them come down, just as the Northern Cheyennes came down, but they do not yet know whether they will come down or not. White Horse here [at the left of the witness] says to me that he knows the Arapahoes now here have been expecting their brethren from the north to come down.

Q. Do you think that a change in the agent here would make the Indians more contented, would lead to an improved condition of affairs, and bring about a better feeling?—A. I think they would be better satisfied if they could get another agent. As for this agent here, the Indians have paid attention to all his orders and been obedient to all he has said, in regard to giving up their children to go to school and everything else; but he has not paid attention to their wants, nor tried to assist them. I think that an agent with a good heart, who would be just and kind to them, would be better, and the Indians would be better satisfied.

Q. If the Indians could get some work to do for which they could get some pay, such as wood to cut or haul, or hay to cut or haul, or telegraph poles to cut, or teaming to do other than that which they now do with their teams, would they be willing and glad to do it, in order to get them clothing and other things they need?—A. Almost all the Indians, except perhaps these last Cheyennes, would be glad to get any kind of work to do that they could earn money by; a great many of them are already working—chopping wood, getting in hay, making brick, driving team for persons who are breaking prairie, and some are driving teams for the contractors on the mail-route from here to Elliot.

Q. If your people should have cows, cattle, &c., given them, do you think they would keep them, and not kill them until they should increase and grow into a herd so as to enable them to have beef of their own from their own herds?—A. I think that the cattle would be a great deal the best thing, because sometimes they have all their work for nothing in farming; if there is not sufficient rain, they do not get a crop. I think if the matter were explained to the Indians they would take care of the cattle and not kill them.

Q. If cattle were given to the different lodges, or families, could they keep them separate so that every family could have its own cows and its own calves without getting into controversy as to whom they belonged, and quarrelling with others?—A. I think if every family could be given six, or seven, or eight cows to start with there would be no danger about killing them; they would take an interest in them and keep them. If there were only two or three cows given to a family they would not take so much interest in them. It would be harder to keep them from killing them; they would not see the increase fast enough. With six, or seven, or eight to a family they could see that in a few years they would have enough of a herd so that they could sustain themselves.

Q. Suppose the government were to give the tribe five hundred cows and divide them among the separate families, could they not herd them all together, but when they were brought in each family take out its own cows for milk?—A. I think it would be a good idea to have a considerable number in a herd. I do not know about having them all in one herd, but may be a hundred or two hundred in a herd would be a good idea. They might be combined in herds of various sizes.

Q. What kind of care would they need, and what kind of care would they get in the winter time?—A. There would be no trouble in keeping cows here through the winter; they would need no feed except what they found in grazing; that would make it easier to keep them here than it would be farther north. We would only have to herd them in winter, the same as in summer.

Q. How was it last winter?—A. No cattle died here last winter either by freezing to death or starvation.

Q. Was there any snow on the ground?—A. Not a great deal.

Q. Have you anything to say about the trader over here at the agency?—A. We have to pay very high prices for what we get there. I do not think they are fair there at all. It would be a great benefit to the Indians to have two or three traders. Where there is but one trader he has everything his own way. The trader there has half-breed traders to do the trading with the Indians. They do not give them their money's worth. It would be better to have white traders that had no interpreters at all. The interpreters the Indians have to trade with are half-breeds, and they could get along better without them. I would be glad to see other traders, so that there would be competition between them; then we would not get so little for our money.

Q. When your people go to farming, do they need houses at the places where they are farming? If so, can they build them themselves, or would they want the government to build them?—A. They heard that houses were going to be built for them a good while ago. They would be glad to have houses. They would want white people to build them, for the Indians do not know how to build, and have not the implements to build them with. They would have to get white people to build them.

Q. Do you think it would be better for the military to have control of all the affairs about an agency than to have a civil agent?—A. The Indians think another agent would be a good thing, but they think that an agent selected from civil life would be more acceptable than a military agent.

Q. Are the Indians generally satisfied with the commander of the post here?—A. I do not like to answer that question, but I do not want to conceal anything. I have not got anything especially to say against him, but I think it would be a beneficial policy to change officers when one had been at the same place a long time. I think it would be better if there were not so many troops here all the time. It looks as if the government suspected the Indians, and this they do not like. We mean to behave ourselves and do not like to be suspected.

Q. The government looks upon what the Indians do, not upon what they say; and last year the Indians, some of them, broke away, and the government had to send the soldiers after them; and the Great Father at Washington does not know whether he can safely trust them all. They did not, all of them, make any trouble, but some bad ones did; and while he trusts the Indians in general that are here now, he does not know but there may be some bad ones among them who would not do what they say. It is not to do any harm to good Indians that troops are kept here, but for fear lest there might be some bad ones among them.—A. That is so; but when everything is right and at peace, and when the Northern Cheyennes have become settled down south here, then to take away some of the soldiers, so that there should not be so many here, would be well. Then the Indians would not feel as if their Great Father at Washington was suspicious of them.

Q. What do you do with your wagons, horses, &c., when you are not hauling goods with them from Wichita?—A. Our people have some wagons, but not as many as they would like to have; those that have wagons, the greater portion of them, haul goods from Wichita with them; those who have already paid for their wagons receive pay in money for what they haul. They would like to have more wagons than they have, and would like to have some employment, something to haul and receive money for hauling; they would like to do almost any kind of work that would bring them in money.

Q. That is hardly an answer to my question. I asked, what do your people now do with their wagons when they are not engaged in hauling goods from Wichita with them?—A. When not engaged in hauling goods from the Arkansas they use their wagons in hauling wood to burn, and to move with when they are changing camps, and to haul water from the creeks. Having these wagons helps the women a great deal, for they do not have to bring wood as they did before.

Q. As there is only so much work to do, if there were any more wagons given, each one would receive less work. If you had more wagons, would you take care of them and keep them in out of the rain, and be careful not to break them or let them become injured?—A. They would like to have wagons for their own use—they that are farming; they would have a great deal of use for them; they love their wagons, and take good care of them and of their harness, and keep them out of the weather.

Q. If your people were provided with plows and other agricultural implements, could they go on farming, break up land, put in crops, &c., without help, or would they need to have the government break up their land and show them how to farm?—A. We do plow ourselves, all of us, and a good many of us have plows; but we would rather have white men to help us, for we are not as used to plowing as the white people are, and consequently are more awkward; our horses are smaller than those of the white men, and not so strong, and fall down sometimes; the sod is very hard to plow through. We would rather have better horses and have white men to help us and to show us how to farm.

Q. You have said that you did not get enough rations, particularly of beef. I want to ask you whether things have been getting better lately or otherwise in that respect?—A. We have been told that things would soon be better, and we have been hoping to see them get better all the time; but, instead of that, things have been getting worse and worse all the time; every year we receive less and less; I don't see why it is; I don't see why the white man should want to make it any worse for us than it has been; but so it is.

Q. Is there anything more you would like to say to us before the examination concludes?—A. Yes; I would like to have you intercede for us that we may have a better beef issue; if they would issue a small steer to each company of forty or forty-five, between the seven days, to help us out, it would be a good benefit.

By Mr. MORGAN (to the interpreter):

Q. Do the Indians salt their meat?—A. No; they sun-dry it; the air is so dry here that the meat dries without spoiling. (Senator Plumb added, "Except in wet weather; but they always get away with it just the same.")

By Mr. PLUMB:

Q. Is the present method of issuing or of dividing beef objectionable? If so, in what way could it be bettered?—A. I do not know of any better method of distributing than the present, but we would like to have more of it; we would rather kill the beef ourselves, even if we are so short of ammunition that we have to kill them with axes, than to have the white people kill them for us; for if we kill them ourselves, we can have the insides; we use every particle, large intestines, and small intestines, and all, not leaving anything but the horns. I think traders ought to be compelled to pay us more for our hides; they give us only two dollars now; they ought to give us three or four. (Explanation by the interpreter: "They sell without regard to weight, although some hides are a great deal larger than others.")

There is one thing further; that is, there is a great portion of our people, the Cheyennes, who have not been able to see these gentlemen from Washington, and I think it would be a very nice thing if you could present us with a steer to have in common, so that the women and children could receive the benefit of their being here and have a feast over it.

By Mr. MORGAN:

Q. Is there any reason why you cannot carry your beef-hides to Wichita or Caldwell and sell them?—A. We would rather do our trading close at home; it is not handy always to go all the way to Wichita to sell a hide or to buy something we may happen to want.

LIVING BEAR.

FORT RENO, IND. TERR.,
August 19, 1879.

Living Bear and Standing Elk appeared before the committee, and seated themselves beside each other, whereupon the former was examined as follows:

By Mr. MORGAN:

Question. Why did you not go off with the other Northern Cheyennes when they left this part of the country to return to their northern home?—Answer. We were told at the council at Camp Robinson, by Generals Crook and Mackenzie, that the President had given orders for us to come down here and live in the southern country; we intended to be obedient to the orders of the President, and so we did not go back.

Q. Did you want to go back?—A. We had no idea of going back any more; we did not want to go back after having come down here.

Q. Do you want to go back now?—A. I have been satisfied here ever since coming down; when I first came down here the Southern Cheyennes met me and took me by the hand, and told me they were glad I had come down; and I have felt at home ever since.

Q. Is that the general feeling among the Northern Cheyennes that came down here?—A. All of us who came down at the time the Dull Knife band came down, and who remained here, and gave their children up to the school, feel the same way; over a hundred lodges of us Northern Cheyennes feel that way.

Q. Do you get as good rations here as you did at the Red Cloud Agency?—A. In that we were disappointed; we were promised a great many things, in case we should come down here, which we have never had; we do not get as good rations here as we got up north.

Q. Wherein is the deficiency?—A. One thing is, we were promised that when we came down here we should have cattle given us to keep—not to kill; but they have never been given us. Then we were promised a larger issue of beef than we had up there; we understood that we were to have enough to keep us from being hungry, which is not the case. The issue of beef is not as large as it was up there; we are entirely out of beef a good part of the time.

Q. How about the flour issue?—A. That keeps giving out; every once in a while they tell us there is no flour; and when they have flour, then the sugar is gone; and once in while, between times, the coffee is gone. Always there is something gone. The flour is out half the time.

Q. About how many Northern Cheyennes remained behind after the departure of a part of them?—A. About a hundred and fifty lodges remained to about fifty that went away.

Q. Does any particular number constitute a lodge?—A. They average about five to a lodge.

Q. Of those that remained behind, have any of them gone to work—at any kind of work?—A. Nearly all of us who remained have given our children up to school, and are trying to work, at farming mainly, more or less. We were told to try and farm like white people; we didn't know anything about it; but we said to ourselves, "We will try anyhow." We planted corn before we had any ground broken up, by digging up the ground with hoes. That is the way we commenced farming, and some of them have done that way ever since.

Q. Have any houses been built for them, or have they built any for themselves?—A. No.

By the CHAIRMAN:

Q. Do your people want houses to live in—to stay in all the time?—A. My son is growing up like a white man, over at the school; all the Indian children are growing up like white people; and they would like houses like white people.

By Mr. MORGAN:

Q. Are the children learning to speak English?—A. I do not know whether they are or not.

Q. Are they taught in the Indian language at the school?—A. They are trying to teach the children to read it, to educate them in English; the teachers do not talk Indian.

Q. Have the Indian parents any objection to their children learning to speak English?—A. We know it would be best for them to understand English, and be educated in all the things that the white people know.

Q. Is there any game in this country—that is, enough to form any reliance for the support of a man and his family?—A. There is a good deal of game yet in this country, that would do the Indians a great deal of good; that they could live on if they could be allowed to go out to hunt, and could have the ammunition to hunt with. There are a good many buffalo scattered about through this country yet. We found buffalo the last time we went out after them. Then there are a great many antelope in the country.

Q. To what extent are the Northern Cheyennes supplied with horses?—A. They are not very well off for horses; they have a few.

Q. Have any of them any cattle?—A. None, that I know of.

Q. If cows should be given them, do you think they would take care of them, so that they would increase, and in time grow into a herd?—A. I think it would be a very good thing to let them have cattle; if some of our chiefs would be wise enough to make a rule that they should keep their cattle, and the government would give them cattle to raise, it would be a good thing; I think they would take good care of them.

Q. If the United States Government were to give them cattle, in what way would they prefer to receive them; as heads of families or as bands?—A. I think it would be better to give them to the Indians separately, so that those who chose to bunch their cattle together could do so.

Q. Did the Cheyennes have any cattle in the north, before they came down here?—A. They were not given any cattle, while they were in the north, to keep, only to kill; but the cattle rations up there were better than here.

Q. Do your people know anything about using milk in their families?—A. Yes, and they like it; whatever cows they have, if they are gentle enough to milk, they milk them and like the milk.

Q. Was the country you came from abundant in game, at the time you left there, or had it been exhausted?—A. That was a better country for hunting than this; not right at White River, where the agency was, but where the Indians used to roam, in the Black Hills.

Q. How did the Northern Cheyennes, who are here now, manage to supply themselves, when they lived up north, with clothing, especially winter clothing?—A. The greatest part of it they had to buy from the store with money they got in different ways—from selling the hides of their beef, from chopping wood, from hauling with their wagons, when they had wagons, &c.

Q. Was there not any clothing issued to the Northern Cheyennes*?—A. They had coats, pants, vests, hats, and shoes issued to them. The clothing is a sort of gray goods, of very poor quality, not of any account. Outside of that, calico, &c., is sometimes issued to them, but in pieces too small to be of any use to anybody. The Indians do not take kindly, not very fast, to white people's clothes.

Q. Do they wear shoes there in the winter, or moccasins?—A. They wear white men's shoes in the winter, a great deal, when the ground is wet, but they do not get shoes enough for all their children; they do not get goods enough issued for all their families.

Q. What is the state of health of the Northern Cheyennes who are here now?—A. Not so bad as it used to be; but sickness has not entirely left them yet.

Q. When was the worst of their sickness, since they have been here?—A. Last year, in the spring and summer.

Q. Did they ever have the measles among their children before they came down here?—A. No; they did not have anything of that kind up north.

Q. Has the tribe ever been afflicted with the small-pox, either there or here?—A. Never, that I know of.

Q. Are your people satisfied with the agent here?—A. I am glad these gentlemen have come here from Washington, to represent the government, so that we can state our case to you. Before we left the White River Agency, at the council there, we were promised a great many things which we have never received. We do not think the agent here is as good an agent as we ought to have. We think he withholds goods that he is supposed to issue; I mean the annuities. I do not think he issues all he ought to. And then, as to beef, he issues now a steer to forty-five persons, and tells them that that is all that is allowed them by the government. We don't believe it. If it is so, it is very hard that we should not have enough beef to eat.

Q. Is the tribe, the Cheyennes, increasing or growing smaller; are the women bearing many children?—A. Yes; there are a great many children being born all the time.

Q. Is the tribe growing stronger or weaker?—A. I think more of them have died since they came down here than have been born.

Q. Have the Indians doctors among themselves, who administer medicines to the sick?—A. We have a good many doctors in our tribe; in a good many diseases they are better than the white doctors, while in some diseases the white doctors are better than ours are.

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* This question apparently (see the one preceding and the one following it) refers to the Cheyennes before they left the north; but the answer, very evidently, refers to the clothing issued to them after coming south. See also question by the same Senator (based upon this answer), in the examination of Mr. Miles, recalled.

Q. What do they doctor with?—A. Roots and herbs, and a good deal of superstition; sometimes they suck the disease from the afflicted places, and spit it out; they get very sick, or make believe they are, and sometimes go out and vomit.

Q. How do they pay their doctors?—A. They pay in anything; just as they can afford; sometimes a blanket, sometimes clothing, sometimes horses; sometimes he gets two or three ponies for attending one patient.

Q. Would they rather have white doctors, and medicine furnished free, or have their own doctors and pay them?—A. For most diseases they rather have white doctors; especially when they have the ague.

Q. Did they ever have the ague in the Black Hills?—A. Never.

By the CHAIRMAN:

Q. Did they have more rheumatism and lung diseases up north than here?—A. No; they were healthier in every way; they were never sick with any diseases up there.

By Mr. DAWES:

Q. Did they not have consumption up there?—A. No; not consumption nor anything; they rarely died of anything except old age.

Q. Do they live longer now than they used to, or not so long?—A. Pretty much the same as they used to.

By Mr. PLUMB:

Q. Have the rations been the same all the time you have been here, or have they been sometimes more, sometimes less, than others?—A. I think the beeves are a little better now than they were when we first came, but I think we got a little more then than we do now.

Q. Was there a time, just before the Northern Cheyennes left last year, when food was less in supply than it had been before?—A. Yes, it was rather worse then than it has ever been before or since; they were nearly all the time out of sugar, flour, and bacon.

Q. Have you anything to say about the trader here?—A. I think the half-breeds they have employed there cheat the Indians; we don't get good trades there at all.

Q. Have agricultural implements been issued to all the Indians of your tribe that wanted them?—A. All our party who didn't run away have received farming implements and have gone to farming.

By Mr. DAWES:

Q. Did they receive those agricultural implements before or since the others ran away?—A. The implements were not received until after they had left.

By Mr. PLUMB:

Q. Who does the farming and the work generally among your people?—A. All the men are at it, and sometimes the women assist them.

Q. If there were more work to be done—wood to cut, and hay to cut and wood or hay to haul, and other work—would your people be willing to do it?—A. A great many of them would be very glad to earn money in any way they could.

Q. Do they, so far as you know, get all the annuity goods that are brought here to be distributed?—A. A great deal that comes we do not get; it is sent over to the mission, and I think is secreted there.

Q. What do you understand each Indian is entitled to receive, each year, in the way of annuity goods?—A. I never understood exactly what the government did intend we should have; but I supposed it meant that what we did have should be of some use to us; and from the fact that in a family a man who is not the head of the family cannot get one whole cloth blanket, I think we are not getting what the government meant we should; when they issued this (placing his hand on his own blanket), I think the government meant each man to have a whole one, and when we cannot get it, that makes me think it must be stolen.

Q. Have any of the Indians who have settled and commenced farming received any cattle, cows or oxen?—A. None of them have received any.

By Mr. MORGAN:

Q. Have the Indians ever engaged in the raising of poultry?—A. It was of no use for us to have chickens or anything of that sort when we were north; but when we were ordered away from there we were told that when we got down here, cattle, and hogs, and chickens would be given us. Some few have got some chickens now, but they did not get them from the government; they bought them from their own resources. Powderface has more of such things than anybody else here; he is chief of the Arapahoes.

Q. Is there much stealing among the Indians—among the different bands, I mean—the Indians of one band stealing from those of another band?—A. We have no trouble at all about having things stolen; if we had chickens the Indians would not even steal an egg from each other.

Q. Is there anything further that you would like to say before our conversation ends?—A. I am glad to have met the party here from Washington, for now the men at Washington will have an opportunity to hear that we have obeyed their instructions as given us by General Mackenzie; that we have come down here to remain here as long as the government wants us to remain here.

By Mr. DAWES:

Q. Would you like to have those Indians up at Lawrence liberated?—A. I should like very much to have them liberated, and hope that you will be able to do something to help them.

Q. If they should be liberated, do you think they would stay here, and be peaceable Indians hereafter?—A. I think they have learned sufficient sense now so that they would stay here peaceably and quietly the rest of their lives. Before I go out I would like to have you look at my papers.

Witness thereupon passed around among the members of the committee a number of documents testifying to his fidelity, trustworthiness, and friendship for the whites. One was a commission, signed by J. K. Mizner, major Fourth Cavalry, commanding the post, appointing the bearer corporal of a detachment of Indian scouts, to run from the 9th day of August, 1877. Also several other documents, among which were the following:

RED CLOUD AGENCY, *November 20, 1876.*

The bearer, Living Bear, has been placed in charge of the Cheyenne Indians of this agency. He is instructed to report all news concerning northern Indians, and also to report all Indians coming in or leaving this agency.

W. CALHOUN,
Acting Indian Agent.

RED CLOUD AGENCY, *December* 13, 1876.

Since I have been on duty here, Living Bear has conducted himself exceedingly well; he has kept good order among the Cheyennes under his charge, and has given every indication of good-will and fidelity.

THOS. TOBEY,
Captain 14th Infantry, Acting Indian Agent.

By the CHAIRMAN:

Q. Is there anything more you would like to say before the examination ends?—A. (After consultation with his companions.) We think it would be a good idea if you would give us a couple of steers, so that our people could have a feast in honor of your coming.

The CHAIRMAN explained that the functions of the committee did not extend to the ordering of the agent to issue anything.

LITTLE CHIEF.

FORT RENO, IND. TER., *August* 10, 1879.

Little Chief and Black Wolf appeared together before the committee, and after some conversation between them, the interpreter and the committee, not exactly in the nature of an examination, Little Chief was examined as follows:

By the CHAIRMAN:

Question. Which do you like best, the country down here or the country you came from?—Answer. I like best the country I came from.

Q. Why do you like that the best?—A. Because that is the land where I was born, the land that God gave us; and because it was better than this in every way; everything is better up there than here; the climate is better, the soil is better, the water is better.

By Mr. DAWES:

Q. What made you come down here?—A. We were first told by General Miles that the government wanted us to come down to this Territory; we did not want to come; he told us to come down here anyhow; he said a good many of our relatives were here, that had come down with the Dull Knife band; he said if we did not like the country we could get our relatives together who had come down ahead of us and go back north again; if we were not satisfied, he said, he would have it arranged so that we could go north again; there would not be much trouble in doing that, because, he said, the government knew the valuable services we had rendered helping him (General Miles) in the Nez Percés campaign; also in capturing the Lame Deer Sioux village. We were with General Miles as scouts, and captured the Sioux herd, and also the Nez Percés herd of horses. Some of the Cheyennes killed the chief of the Sioux village, Lame Deer, himself, and gave up the captured horses to General Miles. When we surrendered to General Miles we gave up all our horses and arms; afterward he gave us back some horses to scout for him—also some arms to scout with. Afterward, when we left there to come south, we were allowed to retain some horses and arms, on account of our services to the government. I supposed the government had heard everything about us, and the services we had rendered and our situation exactly. A party of us—myself and several others—were sent for by General Sheridan to go to Chicago; at Chicago we were told by General Sheridan that we would have to go south; we told him about these things, the horses and arms, being given to us, with a promise that they should not be taken away; General Sheridan said he knew of that, and it was all right. But when we came down here the arms and a part of the horses were taken away from us.

By Mr. PLUMB:

Q. What was done with the arms and the horses?—A. The arms are still here in the post, stored in the quartermaster's office; the horses were taken to Camp Supply and sold by order of the quartermaster.

By Mr. MORGAN:

Q. What was done with the proceeds?—A. I do not know. (Interpreter: "The proceeds were sent back and used for those Indians who gave up their horses." The witness continues by way of explanation:) We traveled down peaceably, without causing anybody any trouble; but after arriving at Sidney, where the Dull Knife band party were, we were told that we must surrender our arms, because they were afraid we would join the Dull Knife party. The arms were taken by order of General Crook. After taking them at Sidney they gave them back to us, with promises again that they would never be taken from us any more; but after getting down here they were taken from us and were never returned to us again.

Q. How long was it after Dull Knife's band came south before you came?—A. Two or three months.*

Q. Why did not your band come down with Dull Knife's?—A. We were several hundred miles from White River, where his band started from; we were at Fort Keogh, at the mouth of Tongue River, under General Miles, while the others were under General Crook.

Q. When Dull Knife and his party came, were you or any of your party in the service of the government as scouts?—A. All our young men were serving as scouts then for General Miles, carrying dispatches, &c. We were fighting the Nez Percés and the Sioux, with General Miles' troops, when the other band was coming down.

Q. Did your band ever, at any time, live with Dull Knife's band, or did your band always live in a tribe by themselves?—A. We lived with them at times, but not all the time. A great deal of the time we lived about the head of Tongue and Powder Rivers, though when in we went to the same agency with them.

Q. When you and your band arrived at Sidney did you not know that Dull Knife and his band had gone away?—A. It was at Lodgepole Creek, at Sidney, that we first heard the news.

Q. Did you hear it from the white people or from Indians?—A. We heard it from the whites; the news came up by the white people's mails.

Q. After you got down here, did you find it healthy or unhealthy?—A. After getting down here our band began to get sick; my son, a grown-up young man, was taken sick and died; it is not as healthy here as it is where we came from.

Q. What time of year did you get here?—A. In the winter—in December, I think; at least it was in the fore part of winter.

Q. What fort did you leave?—A. Fort Keogh, Montana Territory.

Q. How long were you on the way down?—A. About six months; we came by the way of the Black Hills, Bear Buttes, Sidney, Wallace, and from there down by the route the other party came. We did not

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*This answer is a palpable error. The witness undoubtedly understood the question to be, "How long was it after Dull Knife's band went *north* before you came?" for the answer would be a correct one to that question.

expect to stay here; the only expectation we had in coming down was that of finding our relatives here, and having them go back with us if they did not like it here, as we had been told we might do, both by General Miles and General Sheridan.

Q. How came you to expect to go back before you had been here to find out whether you would like it here or not?—A. We had heard that the other Indians had broken away and had gone north because they did not like it here.

Q. What post did you draw rations at?—A. At Fort Keough; there was no agency there; we were held nominally as prisoners of war, and the rations we received were issued by the War Department to us as prisoners of war; in the beginning we got full soldier rations; afterwards we received rations the same as the Indians at the agency—full rations as prescribed by the Interior Department.

Q. From whom did you use to draw rations before you drew them at Fort Keough?—A. Before we were taken to Fort Keough—before the war broke out—we used to live with the Red Cloud Sioux.

Q. Did you not draw any rations from the government at all then?—A. When we were there they used to issue rations te us, but when we were out we had all the game we wanted.

By the CHAIRMAN:

Q. Is there any game here?—A. There is not anything here to hunt; there is a great deal more game up north.

Q. If you have no game here, what do you want of arms?—A. We captured those guns from the Nez Percés when they were fighting the government; we were told that on account of the aid we had rendered the government against its enemies those guns should be ours always; we worked for them, we risked our lives for them, they were promised to us, and we think we ought to have them.

Q. Would you not be as well satisfied to have the value of the arms in money, or clothing, or something else you need?—A. We would rather have the guns than money or anything else; this is not a good country to hunt in; there is not much game here; but whatever is here we could get better if we had guns than we can without any, and we should like to have the benefit of it; there are some turkeys and some antelope.

By Mr. PLUMB:

Q. What has been furnished you on account of the sale of your horses?—A. They took from us our horses, the best we had, and we received in return eleven dollars in money, each; it was not much money, and we didn't care much about it; we don't care for money as we do for our horses; the land that God gave us, that we always looked on as our own, was full of money; there was plenty of gold in the ground, and the eleven dollars that we got for our horses didn't amount to much.

Q. Was that all that was realized for the horses?—A. That was all *we* got. Each Indian received eleven dollars, regardless of what kind of a horse it was that he had. I think there is considerable money out somewhere; the horses must have sold for more than that. I think, when they sold them, they just gave us back whatever they saw fit. At least that is the way it looked to us.

Q. How many horses did they leave you—enough for your own use?—A. I think some families have two horses in the family, and some have three. They are principally the pair of Nez Percés horses given us after the capture of the Nez Percés herd.

Q. What would you do if you were to go back to that upper country—how would you live up there?—A. If we could go back north, we should expect to join General Miles's post, where we left forty lodges of our people, and where Little Wolf has since gone and joined them. If we could be allowed to go there, we would do anything the government would want us to; but we would like very much to be allowed to hunt buffalo, as we were allowed before. General Miles allowed us to go on several buffalo hunts; but, if we could not hunt buffalo, we would still be glad to go, and do anything the government would ask us to. We have children up there, and other relatives, and we do not like to be separated from them. That country is our home, and we do not feel happy to be kept so far away from it, and to think that we shall never see it any more.

Q. Why were not all the Cheyennes sent down here?—A. Part of them General Miles was allowed to retain, because they are still scouting for him. There are about thirty men scouting for him, and on that account the families of these thirty men are allowed to remain there. He wanted to keep all, but was not allowed to keep any but the families of those he kept as scouts. Since then three of the young men who were acting as scouts have been killed, in the last fight with the Sioux. One of those young men I knew very well.

Q. Do you get enough to eat here?—A. We came here last winter, and there has not been an issue of rations at any time yet when we have had enough to eat. The sugar has never been over a handful for a week, and much of the time there has been none at all.

Q. How has it been with regard to the beef and flour?—A. Where there are ten families together, they get only about a peck of flour for a week.

By Mr. MORGAN:

Q. Has not corn-meal been issued?—A. They have been issuing, in place of flour, some yellow corn-meal; but corn-meal never did agree with Indians; it stirs up their bowels, and makes them sick. I do not think it was ever intended for Indians to eat. I have been to Washington, and said to them there what I have told you now. I hope, when you gentlemen go there again, you will repeat to them what I have said, and that it may result in benefit to us.

By Mr. PLUMB:

Q. How has it been with regard to beef?—A. We were raised on beef—or buffalo meat, which is the same thing. We have been accustomed to eating a great deal of it; but since coming here we never have had enough of it to eat. It was bad enough when we had one beef to thirty or thirty-five Indians; now that we have only one beef to forty or forty-five, it is not near enough. That is all that is given us for a week, and it is eaten in three days, or two.

Q. Are not the beeves now issued larger than those formerly issued?—A. They tell us that the cattle we are getting now are larger than those we used to get before we went to Washington, but I cannot see that they are any heavier, and I am sure they are not in as good order.

Q. Has any clothing been issued to you?—A. There has been clothing issued, but it was a very poor issue—a poorer one than we ever received before.

Q. Is less food issued to you now than used to be issued to you at Fort Keough?—A. It does not compare with the amount of rations that were issued to us at Fort Keough. We never went hungry any day there; here we get hungry two or three days every week. There we did not have canvass issued for our lodges, but we were allowed to go and hunt buffalo for skins for our lodges whenever we wanted to.

By Mr. PLUMB:

Q. Do you have no lodges here?—A. We have canvas lodges here, but no buffalo lodges. When we were allowed to go buffalo hunting from Fort Keough a guard of troops, ten soldiers, was sent with us. We never made any trouble with the white people; we had plenty to eat. I was in good condition then; now, look, and see how poor I am growing since I came down here.

Q. If you have planting and plowing and other work to do, after hunting gives out, in order to live, why not do it here as well as anywhere else?—A. Because that is a better country to live in for everything. If I had to plant or plow, or do anything, I would sooner do it up there than down here.

Q. Would you not feel less objection to staying here if the rest of the Cheyennes were down here?—A. I would much rather join them up there; the people up there are already opening up their farms, and have raised pretty good crops, and know how to do farm work, and would show us how; I would be willing to undertake it as soon as I got there.

By Mr. MORGAN:

Q. Is there more rainfall there than here?—A. It rains there much more frequently than here; the grass and vegetation never dries up in the hot, scorching sun as it does here. They never have any such droughts there as they have in this country.

Q. Would you not be afraid of going back there among the Sioux?—A. I would have no hesitation on account of the Sioux; I would be glad to go up there and live at Tongue River; I would be willing to serve a while in any wars against the Sioux; I am not afraid of the Sioux.

Q. Do all of your band feel as you do about this matter of staying here?—A. The hearts of all my people are just like mine; I speak the sentiments of all my people; we all would rather be among those mountains and streams where we were raised from the time we were old enough to remember anything, than to stay in this country, and be compelled to stay here.

Q. Is your band on good terms with the Southern Cheyennes, as a band?—A. We do not get along very pleasantly with these other Indians; we do not feel good to be among them. I hear that the Indians that ran away from here, the Dull Knife band, did not agree with the Southern Cheyennes who were here before. There have been bad words between my band and the Southern Cheyennes. God never gave this southern country to the northern Indians; He never intended it for them to live in. The northern Indians can never be healthy here. Ever since I can remember the Southern Cheyennes have been here, and my people have been up north. We never expected to live with these Southern Cheyennes.

Q. Is that a mountainous and woody country, or is it a level country, like this?—A. There are a great many mountains there, but there are a great many very pretty valleys, and plenty of grass; that horses get fatter and stronger than they will on the grass here. That is a better country than this for stock.

Q. How about the winters there; are they very cold?—A. The winters are longer there, and the weather is colder and there is more snow; but that is what we are raised on and we like it; we were never sick there.

Q. Did you stay on the hills in the winter, among the snow, or did you go down into the valleys?—A. We generally camp in the valleys of the Tongue River and the Powder River, in the timber. We never suffer from cold there, at all, in the winter.

By Mr. DAWES:

Q. Are you and your band on good terms with Standing Elk and his band?—A. We do not mingle together pleasantly with that band; my people all want to go back to their native country, while that people have thrown that country away and decided to stay down here.

Q. Does Standing Elk and his band fare any better down here than you and your band?—A. There is no difference in the issue between the two bands; the Northern Cheyennes, the Southern Cheyennes, and the Arapahoes all fare alike.

Q. What makes Standing Elk and his band prefer to stay here while you and your band want to go away?—A. The people of his band have always had some relatives down here among these Southern Cheyennes. They had been thinking of coming here a long time before they did; they were pre-disposed in favor of this country.

By Mr. MORGAN:

Q. Are any of your band engaged in agriculture?—A. Three or four families of the band that came down here with me have begun to farm; those do not want to go back now.

Q. Then all your band do not want to go back north?—A. No; when I said that all my people wanted to go back north I did not mean to speak of those who were engaged in farming.

Q. Are there any wagons in your band?—A. No, sir; none of them have received any wagons.

Q. Have they not received any agricultural implements?—A. They have not received anything in the agricultural line at all. I told the Secretary of the Interior, when I was in Washington, that I did not want to receive any of these things here, because I hoped some time to go back north and then I would be glad to receive them there. I was also granted another request that I made; that was, that my band, the people under me, would not have to give their children up to go to school unless they wanted to.

Q. Why did you not want your children to be sent to school and educated?—A. Because I love my children and do not want to see them made slaves of, like many children over there, who have to chop wood and do other work. I do not want my children used like that, because I love them. Another reason I gave the Secretary of War for not wanting to receive any wagons was because I had no horses to work them, and there have been no horses issued to me yet.

Q. Are the women of the tribe bearing children here? Is the tribe increasing or diminishing?—A. A great many children have been born. I do not know whether more have been born than died or not. A great many have been sick; some have died, and some have got well. I have been sick a great deal of the time since I have been down here—homesick and heartsick, and sick in every way. I have been thinking of my native country and the good home I had up there, where I never was hungry, but when I wanted anything to eat could go out and hunt the buffalo. It makes me feel sick when I think about that, and I cannot help thinking about that. I like the white people up there better than I do the white people down here, too. I can get along with the white people up there; they appear more sensible people than the people down here. Everybody knows us up there, and everybody treats us like brothers.

I served with the soldiers up there, and they all knew me and treated me well. I can get along there much more pleasantly than here. For my part, I was never raised to be dependent on an agency at all; I was used to living by hunting all the time. It does not make me feel good to hang about an agency and have to ask a white man for something to eat when I get hungry.

By the CHAIRMAN:

Q. Is there anything more you would like to say before the examination closes?—A. I am glad you have come from Washington to talk with us. I hope that what you hear here you will carry to Washington and intercede for us there, that we may go back to the country God gave us in the north. I do not intend to go back there unless the government allows us to do so. I do not intend to act foolish; but I do want to go back to the country I was born and raised in. The interpreter here has traveled all the way down here with me from the Missouri River. He knows how I have behaved on the long trip, under very trying circumstances. We had our horses taken from us, and our arms taken from us after we had been promised that we might keep them on account of our services to the government; but we obeyed without making any trouble, and now I hope you will take pity on us, and do all you can for us.

Q. Is that all?—A. (After consultation with his companions.) One thing I would like to ask: I represent one northern band, and my companion here represents another band. We think our people would be very much pleased if you could have issued to us about three steers, so that they could have a feast while you are here.

The CHAIRMAN explained that the committee had no authority to order the issuing of anything.

JOHN D. MILES.

CHEYENNE AND ARAPAHOE AGENCY,
Indian Territory, August 20, 1879.

JOHN D. MILES sworn and examined.

By the CHAIRMAN:

Question. Please give the committee, in a connected form, a history of the arrival here of the Northern Cheyennes who left here in September of last year (1878), with the causes, so far as known to you, and the manner of their leaving.—Answer. I suppose I could give you the matter a little more in detail if I could be permitted to refer to my books.

Q. What we want is a full and complete history of the whole matter.—A. I can get at that better and more accurately, especially as to dates, by reference to the press copies which I took of the letters that passed between myself and other parties connected with the transaction.

Mr. PLUMB. We have here in print the various letters bearing on the matter.

WITNESS. I can at least have my book of letters here in my hand, and by referring to it when I find it necessary refresh my memory occasionally. I looked over my book last evening and have it marked so that it will require but little time to refer to the different pages.

My first letter to the superintendent of Indian affairs was simply in regard to some materials for lodges for the Northern Cheyennes. My first information that these Indians were coming was derived from a letter from General Mackenzie, who wrote me that fourteen hundred Indians, Northern Cheyennes, had started at a certain date, which I can find if the committee desire it.

The **CHAIRMAN.** I do not consider it necessary.

WITNESS. Thereupon I wrote to the superintendent of Indian affairs, suggesting that, as these Indians had been dismounted and disarmed, and had nothing for lodges, it would be a good idea to have lodges ready for them when they arrived. My letter contained also an estimate for 5,300 yards of heavy duck, for the purpose of making them lodges. This letter was dated July 11, 1877. After that time there was correspondence between the Commissioner and myself, in reference to beef for those Indians, and I was, in return, authorized by the Commissioner to call upon the beef contractor for beef to be issued to these Northern Cheyennes, and I did so. On the 1st day of July we had on hand, left over from the previous year, quite a supply of beef, I do not know just now how many head, and I suggested to the superintendent of Indian affairs that we could borrow from the Southern Cheyennes and Arapahoes (for the supplies for the Northern Cheyennes were to be paid from a different appropriation). I was authorized by the Commissioner to borrow beef instead of calling on the contractor for it, and I did borrow beef from the Arapahoes and Southern Cheyennes, and issued it to the Northern Cheyennes until the supply on hand for the benefit of the former, on the 1st day of July, was exhausted. If desired, I can furnish copies of these letters.

Mr. **PLUMB.** Whether the beef was charged to one fund or another does not make much difference, so far as our purpose here is concerned.

The **CHAIRMAN.** If we want copies of any of the letters we will call for them afterwards; but first we want a connected history of the affair.

WITNESS. A regular estimate was sent in for supplies, to be here, if possible, by the time the Indians arrived. Purchases were made and were sent, and until the supplies reached here I was authorized to issue supplies from the appropriation made for the Arapahoes and Southern Cheyennes. Every possible preparation was made for their arrival.

By the **CHAIRMAN**:

Q. When did they arrive?—A. They arrived here on the 5th of August, 1877.

Q. Were they armed and mounted, or unarmed and dismounted?—A. I will refer you to a letter of subsequent date——

Q. No. The fact is all we want now. Were they armed?—A. I did not see them disarmed. It was the understanding between Colonel Mizner and myself that they had been disarmed up north, but we soon afterward saw arms in their possession, which naturally led us to suppose that they had not been thoroughly disarmed. But so far as I knew or supposed at that time, they were disarmed.

Q. Had they horses?—A. They had some horses with them. A portion of their horses were taken from them by General Mackenzie, who was here in person. The horses were afterward driven to Fort Sill and sold.

Q. How many horses had they, how many were taken from them, and how many were left them?—A. That was before they were transferred to me. Colonel Mizner may be able to tell you about that.

By Mr. MORGAN:

Q. You say the horses that were taken from them were driven to Fort Sill and sold?—A. Yes, sir.

Q. What was done with the proceeds?—A. Cattle were bought with the proceeds and given to the Indians. Some of the Indians who came from the north were sent down there with the horses, and brought back the cattle.

Q. How many cattle were brought back?—A. I think there were about fifty-one head.

Q. Were they breeding cattle or steers?—A. Breeding cattle.

Q. How much was received for the horses?—A. I do not know.

Q. Nor how much was given for the cattle?—A. No, sir; the particulars of the transaction I never knew anything about.

By the CHAIRMAN:

Q. You say that General Mackenzie came with them from the north?—A. No, General Mackenzie did not come with them from the north; Lieutenant Lawton came with them; General Mackenzie came from Fort Sill. If my memory serves me, General Mackenzie aimed to leave about one pony in the hands of each one of the men, perhaps it was one pony to each lodge; I know a few ponies were left in their possession.

Q. Well, what next?—A. They arrived here on the 5th of August; they were turned over to me on the 7th. On the 6th they had their talk with Colonel Mizner and General Mackenzie.

Q. When they were turned over to you what did you do?—A. I issued them rations. First, I got them into families—enrolled them.

By Mr. MORGAN:

Q. Have you that enrollment?—A. Yes, sir.

By the CHAIRMAN:

Q. What did you issue?—A. Such stores as we had on hand at the time for the Arapahoes and Southern Cheyennes, consisting of beef, flour, sugar, coffee, and tobacco. I continued to issue to them such stores as that when they were on hand. In the absence of any part of the rations, such as sugar or coffee, I always increased the beef rations so as to amount to what would be a full, authorized government ration for the Indians.

By Mr. MORGAN:

Q. Did you locate them—settle them in different places?—A. At first we let them divide right up among their friends—their relatives among the southern people here. At the first council I had with the southern Indians I encouraged them to feel, and urged them to act as if they felt, that these northern Indians were their friends, their relatives, a part of the same tribe, and to try and make them feel at home down here, and to realize that they were to have an equal show with the balance of the Indians, and were the brothers and sisters of those who were here before. I tried to show them how necessary it was that they should affiliate and live peaceably with each other. I think this advice of mine was pretty generally followed by the southern Indians, and was met in a similar friendly spirit by those who had come from the north; some of them became acquainted and seemed to feel at home here almost right away, others more gradually, until finally about six hundred of them became affiliated and thoroughly identified with the southern Indians. On the other hand, there was Dull Knife and Hog, and a few others, who separated themselves from the southern Indians, and from the Northern Cheyennes who had affiliated with the Southern Cheyennes, and camped by themselves, four or five miles right northwest from the agency here. Being separated, they became like two tribes—two distinct elements, I should say, the southern and the northern—and then our Southern Cheyennes called those who had separated from them the Sioux Cheyennes. These Northern Cheyennes—those of them that I have mentioned—separated themselves from the rest, and seemed to be pretty generally dissatisfied with the country.. The first trouble that came up was with regard to our manner of issuing rations.

Q. You say about six hundred identified themselves with the southern Indians?—A. Yes, sir; I did not mean to be understood as fixing the number with exactness; I was just speaking in round numbers.

Q. How many of the Northern Cheyennes were there here in all?—A. Nine hundred and thirty-seven.

Q. Well, what was the dissatisfaction with regard to the manner of issuing rations?—A. The chiefs and young men—the soldier element, I might say, to be more particular in defining their status—wanted to do the distributing themselves. They wanted to have the beef turned over to them in bulk, and to take it and pour it out on the prairie, as we used to issue rations when we first came to this country, and then let the leading men make the distribution. We instituted a family ration check; I presume you have already seen it.

A specimen of a "ration check" was exhibited and put in evidence. It was printed on yellow card-board, and the following is a fac-simile:

27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52

CHEYENNE TRIBE.

WEEKLY RATION CHECK.

CHEYENNE AND ARAPAHOE AGENCY.

DARLINGTON, I. T., ——, 187—.

—— —— and family: Men, —; women, —; children, —; total, —, or —— rations.

JNO. D. MILES,
U. S. Indian Agent.,
Per —— ——, *Clerk.*

[Over.]

26 25 24 23 22 21 20 19 18 17 16 15 14 13 12 11 10 9 8 7 6 5 4 3 2 1

(On the reverse side of the above was printed the following):

Flour ....pounds.
Hard bread .... "
Coffee .... "
Sugar .... "
Bacon .... "
Lard .... "
Mess beef .... "
Baking-powder .... "
Salt .... "
Soap .... "
Tobacco .... "
....
....
....

[Over.]

WITNESS. That check, you see, is one upon which rations may be issued once a week for a year. I also issued a ration check calling for rations for a quarter—three months—of which this is a specimen (printed on green card-board):

WEEKLY RATION CHECK

For the quarter ending March 31, 1877.

Name of tribe, ——— ———.

——— ——— AGENCY.

Band No. ———.
Family No. ———.

Men, ———; women, ———; children, ———.
Total, ———, or ——— rations.

Issue day,
——— ———

——— ———,
U. S. Indian Agent.

1 2 3 4 5 6 7 8 9 10 11 12 13 14 | Over.

Diagonally across the above is printed, in large capitals and with red ink, "First quarter, 1877"; and the reverse is as follows:

Beef .... pounds.
Flour .... "
Corn .... "
Coffee .... "
Sugar .... "
Beans .... "
Pork or bacon .... "
Salt .... "
Tobacco .... "
Soap .... "
Baking-powder or soda .... "
Rice .... "
Hard bread .... "
....
....
....
....

By the CHAIRMAN:

Q. Please explain why this change was made in the mode of issuing rations.—A. I had been satisfied for a great while that there ought to be a change. In the first place, these Indians who made the distribution under the former arrangement were the leading war element; they would take the lion's share of the rations issued, and give to the balance of their respective tribes or bands just what they chose to leave.

Q. What occurred in consequence of this change?—A. One Monday morning I went over to the corral to issue the beef, as usual. When I came back I found that the Northern Cheyennes were not receiving their rations by families, as I had intended. Some of the young men had gone and collected up all the family ration tickets, and then came and presented them *in bulk* to my clerk, demanding that the articles called for by the tickets should be issued them *in bulk*. My clerk did not know what to do about it, and I was absent, so he could not obtain instructions from me; and, to save trouble, he issued to them on the checks as they were presented. The issuing of rations for that day was not yet quite finished when I returned. My clerk at once informed me of the way matters were going on. I entered my protest, but the issuing was so nearly through that they went ahead, and had things their own way for that time. The leaders, who had drawn the rations, said that they "were going to do as they did up north." They went out on the plaza, poured out in bulk the articles they had drawn, helped themselves to all they wanted, and made a distribution of what was left among their people. They said that was the way they were going to have it after that. On hearing this I called them into my office, and through the interpreter, George Bent, I told them that our method of issuing rations was to heads of families. The women usually presented the family check, or the ticket for a particular lodge, and took the articles that were issued home with her, and cooked or prepared the food for that particular family or lodge. I explained to them that the government gave those rations for the benefit of the poor as well as of the rich, and made it my duty to see that each family got its share. Their argument in reply was, what was the use of the Indians having chiefs, unless those chiefs had something to do and some favors granted them more than were granted to ordinary Indians? "If you are going to do all that," they said to me, "what is there left for us to do? There is no object or advantage in being chief."

Q. Was this change in the mode of issuing rations made by yourself or by instructions from the department?—A. By instructions from the department, but upon my own suggestion. I submitted the original of that ration check to the department; the department approved it, had a number of them printed, and they were sent to the agency.

Q. What did you inform the chiefs should be done in future?—A. I told them there was no use in their talking about the matter; they might rely upon it that the rations should never be given out to them in bulk for them to divide. I should abide by the orders of the government. After that, the women brought the checks and took away the rations. The chiefs held council after council about the matter, with themselves and with the Southern Cheyennes. The Southern Cheyennes told them that I was traveling on the road made by the department, and they had better submit. The Southern Cheyennes, some of them—the soldier element—objected at first, but finally submitted quietly, without any interference in the matter whatever.

Q. What next, so far as you know, caused dissatisfaction?—A. They claimed to have had certain promises made to them by military officers up north. I cannot state from memory what all those promises were. I believe they said they had been promised that every chief was to have a nice white house built for him down here, and that they were to be furnished horses and wagons and other things.

Then, the sickness among them had something to do with their dissatisfaction, no doubt. There is no question about that, in my mind. The first season there was not so much sickness, though there was a good deal. They arrived in August, which was about as sickly a season as there could be. When they were on the move they were not so likely to be sick as when they were located in camp.

Q. Did they suffer more than the other Indians that were here?—A. I think they did, especially after being in camp some time. July, August, and September is our malarial season here. They arrived here in August, in the midst of our malarial season.

Q. How were you equipped at that time as to medical service and medicine? They complain that they did not receive medical attendance and medicine; please state how it was.—A. I think they had reason to complain on account of lack of medicine.

Q. Why; wherein?—A. Because the medical supplies were not received. I would suggest that it would be well to call the doctor as a witness upon that point. In regard to matters of details, as to what medicines were deficient and when they gave out, and when supplies arrived, I cannot speak from my own knowledge, as he could. I simply know from memory that both medical attendance and medicines were scarce that season.

By the CHAIRMAN:

Q. What do you mean by both being scarce?—A. In the first place, we had but one physician here, and that was not enough. In the next place, there was not a good supply of medicines on hand at that time; some of the time we were entirely out of the medicines needed for the cure of the diseases then most prevalent.

Q. What other causes of dissatisfaction were there?—A. There was dissatisfaction expressed because we occasionally ran short of coffee and some other particular kinds of supplies.

Q. That is, you would not have the material here in bulk for distribution?—A. Yes, sir. Whatever there was in store the Northern Cheyennes always received, the same as the Southern Cheyennes and Arapahoes.

Q. But sometimes you were out of certain articles and then you could not issue them?—A. Yes, sir.

Q. Did I understand you correctly, that whenever a deficiency in rations occurred, in any particular article, you made up the deficiency by an increase in the beef ration?—A. Yes, sir; that has been my rule.

Q. Was that rule always carried out?—A. It might not have been on a few occasions when there was but a very small deficiency. My instructions from the department are that the regular rations shall be so many pounds of such and such articles—if the supplies on hand will justify; but if I have rations on hand for but one month, and have got to go on those rations for, say, two months, it is best to divide and issue half rations, and make up the deficiency in these other articles by an extra issue of beef.

Q. When, if at all, did they complain of the insufficiency of the beef ration?—A. I think that complaint has been made by almost every Indian at this agency.

Q. And from the beginning until now?—A. Yes, sir; I have been able to find but very few Indians who would not say that they could eat more beef. Three pounds gross, or a pound and a half net, is the established ration of beef. We have, on occasions, received authority from the Commissioner of Indian Affairs to increase the rations to four pounds gross. I think that was done in the early part of 1877.

Q. The second year, how was it in regard to sickness and medical atte[illegible]nce and medicines?—A. We had an unusually sickly season here la[illegible] year. Employés at this agency, men who had never been sick in this country before, were taken down, as well as the Indians. It was a very unhealthy season.

Q. Did these Indians—the Northern Cheyennes—suffer more from sickness than other Indians, those who had been living here before?—A. Yes, sir; I think they did; my impression is that a larger proportion of them were sick, their sickness was more severe and a greater number of them died—that is, in proportion to their entire number—than of the Indians that had been living here before and had become acclimated.

Q. How was it with regard to your supply of medicines and medical attendance for last year?—A. I had my estimate of medicines in last year in good time, but the supplies were not received until the 17th of January, 1879, with the exception of a little quinine.

By Mr. PLUMB:

Q. Did you have medicine enough on hand at the time of this sickness last year?—A. Not a sufficiency by any means.

By the CHAIRMAN:

Q. Was there any unusual sickness among the Indians here last year? I think I heard something said about measles.—A. The measles were here in the spring of 1877, I think—before the Northern Cheyennes arrived.

Q. Was there no measles here last year?—A. I do not remember that there was any measles here last year; all the schools had the measles at one time, but my impression is that it was in the spring of 1877.

Q. Added to these special causes of dissatisfaction, was their preference for their own country?—A. Yes, sir; both before and after these special causes of dissatisfaction arose, from the time of their arrival here, in my own house and everywhere else, they have expressed to me their preference for their own country. Little Chief is just as dissatisfied today as ever; so is Crow and a portion of the Dull Knife Band. They do not conceal that at all.

Q. Were there any other special causes of complaint prior to the time those Indians under Dull Knife left?—A. I cannot call to mind anything further. Except measles, I do not remember any particular class of diseases, unless it may be that malarial fevers have been more virulent than before.

Q. When did you first receive information or perceive indications that those Indians who left were intending to leave?—A. It was but a very few days before they left that I had any reason to believe that they would take such a desperate step.

Q. What did you see or hear that gave you reason to believe that they contemplated any movement of that kind?—A. The first information I had of any intended movement of the kind was received through the Southern Cheyennes and Arapahoes. They complained to me that their best horses were being stolen, and they said they believed it had been done by the Northern Cheyennes, who were encamped in the black-jacks, five or six miles out.

Q. What did you do—what was done by any parties here to prevent their leaving?—A. I sent out my police—I had some Indian police here—to make full inquiry into the matter, and especially to see whether any of the young men belonging to these Northern Cheyennes were absent. I sent for Dull Knife, and Hog, and Crow, and Little Wolf, and asked them whether any of their young men had left or were about to leave. They said they were not—none of them had left, nor were any of them going to leave; it was all a "Southern Cheyenne and Arapahoe lie." But our Southern Cheyennes and Arapahoes continued to complain of losing their horses, and still insisted that it was done by these Northern Cheyennes, and they explained to me why they thought the thieves were Northern Cheyennes and not white men. When I asked them whether it might not be white men that were depredating on their horses, they explained that the thieves would get a few good horses out of one bunch, and a good one out of another—always taking pains to pick out the best—while white men would just round up a bunch and run them off, regardless of the particular kind of horses.

Q. In other words, white men steal by wholesale, Indians by retail?—A. Yes, sir; that is about the way of it.

Q. When did you find that a part of the Indians were actually gone?—A. The subject was up from the 5th of September until the 9th—day and night, almost. The Southern Cheyennes gave me what they assured me was certain, positive information that these young men who had been picking out these good horses had made a camp away up on the Cimarron somewhere, and were running off the horses they had stolen into that camp with a view to getting a nice herd of horses for themselves preparatory to starting north. They had been almost dismounted, but some of their friends had given them good horses and they wanted to supplement them with other good horses. Subsequent information proved that these statements and suspicions of the Southern Cheyennes were entirely correct.

Q. What did you do in the meantime?—A. Of course I did not then *know* that their statements and suspicions were correct. I said to the Northern Cheyennes, "The Southern Cheyennes and Arapahoes say that some of your young men have left." They still denied it; then I said to the Northern Cheyennes, "In order to find which is telling the truth, the Southern Cheyennes, who say that some of your young men have left, or you, who deny it, I want you to report to my office, bringing your young men, and have a check of your enrollment."

Q. Can you fix the date of that?—A. I think it was on the 6th of September that I requested them to come in and be counted.

Q. Did they come?—A. They did not.

Q. What did you do then?—A. I consulted with Colonel Mizner; I called a council of those chiefs; Colonel Mizner was present on one or two occasions. I still insisted on an enrollment. The men who came to my office went home, I think, with the idea that they would succeed in getting their young men to come in and have a count; but the young men—the soldier element—put their foot down on that. The older ones actually commenced, on one occasion, to tear down their lodges, preparatory to coming in and being counted, but the young men utterly refused.

It was on the evening of the 7th that I had this talk with them, and that they commenced tearing down their lodges preparatory to coming in here to be counted. On the morning of the 8th I sent the doctor and Mr. Covington up to the camp of the Northern Cheyennes. They had made excuse, the Northern Cheyennes had, that some of their young men were sick, and could not come in. I said I would not ask young men to come in who were too sick to ride; I would send the doctor out to visit them, and do all that he could to alleviate their sufferings; and Mr. Covington would take the count of those whom the doctor excused. When the doctor and Mr. Covington returned, they reported that they had found a number of sick persons, but no cases of men being too sick to come in. They found the Indians very much excited over the matter; disturbed, at least. I had my scouts in their camp to find out whether these young men really were gone or not, and if they were not gone off the reservation, to find out where they were. On Monday morning they reported to me that the young men had returned.

Q. Who reported this?—A. My scouts; from them I gained the information that the young men who had been away had returned. Confirmation of their statement I had none; but my own impression was that they had returned.

By Mr. **Morgan**:

Q. Suppose in the meantime Colonel Mizner had sent out a force to watch them?—A. He did send out a force to watch them; he had sent out two companies of cavalry.

By the **Chairman**:

Q. When did Colonel Mizner send out those cavalry?—A. Late on the evening of the 5th. In the last interview I had with those people, on the evening of Monday, the 9th of September, I told them I would do them no harm; that all we wanted was a count of their young men. I told them that if they were all here the cavalry would be withdrawn at once; it would not interrupt any of them in their work; that if they were counted and found to be short ten or fifteen or twenty men it would harm them none; it would clear their skirts; we would find out who were gone.

Q. With whom did you have this conversation?—A. With Hog, and Crow, and Little Wolf.

Q. What reply did they make?—A. They did not make any reply to that. Colonel Mizner was there on that occasion; and when I was through with my talking, Colonel Mizner told them that the agent had acted right, and had made only a reasonable request; and he added, "If you don't come up and be counted, I will see that you do."

Q. Who was the interpreter on that occasion?—A. Edward G. Gerrier.

Q. What did they say in reply to Colonel Mizner?—A. I do not think they made any reply to that.

Q. What time of day was that?—A. It was just getting dusk, or a little before dusk, in the evening.

Q. What next occurred?—A. The next information I had was nearly three o'clock the following morning. About ten minutes before three on the morning of Tuesday, September 10, I heard some one rapping at the door of my quarters; on going to the door and opening it I found there American Horse, one of the Northern Cheyennes, and one of the police; either Little Medicine or Sunrise, I forget which, but at any rate it was one of the police; they said that the Northern Cheyennes had torn down their lodges and left, a little before the middle of the night; probably between ten and twelve o'clock. American Horse said he had been trying to get away from them for two or three days, and had been pleading with them to come in and be counted; and they would not permit him to leave the camp, on penalty of killing his horse; as soon as they started to move he left them—split off from the rest of the band, and came back to the Southern Cheyennes.

Q. What then?—A. I at once sat down and wrote a note to Colonel Mizner, giving him the information I had received; I then sent Mr. Darlington, one of my employés, to take the note to Colonel Mizner, and he did so; the note left my house about three o'clock in the morning.

Q. What further did you do?—A. Two companies of military were already out, you will remember. I sent word right out that morning for my police to come in, telling them to go and join the party, and accompany them as guides; and a few of them did go.

By Mr. MORGAN:

Q. How many police did you have; and were they Indians or white men?—A. They were Indians, and there were seventeen of them. I do not think they all went, though.

By the CHAIRMAN:

Q. That is all you know, personally, about the expedition?—A. Yes, sir; of course it was not for me to instruct Colonel Mizner how to direct his troops. It was for me to give him the information that the Indians had left, and request that he pursue them and bring them back.

Q. Now, we may as well pass on to another matter: Have any of those northern Indians ever returned, or been returned to you?—A. O, yes; a few women, and Old Crow have returned.

Q. Those are all?—A. Yes, sir; the women are the wives of those men whom you met at Lawrence; and their children are here.

Q. Since the escape of those Northern Cheyennes, other Northern Cheyennes who had not been here before, have arrived?—A. Yes; the band under Little Chief.

Q. Are they dissatisfied, too?—A. Yes; they expressed their dissatisfaction from the moment of their arrival; it looked, during the early part of this spring, as though there might be another Dull Knife raid; the matter was presented to the department, and I was authorized to take Little Chief and five of his men on to the department; I did so, and there we had a talk with the Secretary of the Interior.

Q. Their complaint is about the rations and supplies of all kinds, and about the country?—A. Yes, sir; he has, though, since his talk with the Secretary of the Interior, submitted to his decision, and says he will not do anything so foolish as Dull Knife did.

By Mr. MORGAN:

Q. When did you first come to this agency as Indian agent?—A. I think I took charge of this agency on the 1st of June, 1872.

Q. At that time you took the Southern Cheyennes and Arapahoes, under your charge?—A. Yes, sir.

Q. I understood you to say awhile ago, that during all the time the Indians have been here, they have complained that their rations have been insufficient?—A. They have, very frequently.

Q. In making up your estimate for rations to be provided for the Indians, do you estimate for the full fiscal year, or for so many months?—A. For the full fiscal year.

Q. For full rations according to law?—A. For the established rations.

Q. Were those rations supplied to you by the government?—A. No, sir.

Q. Why were they withheld?—A. I have always understood it was on account of the funds being exhausted.

Q. How many months in each year have they been withheld, taking the whole time; about what percentage of rations has been withheld?—A. Take a year or two or three years, and I could give you just what it was; but it would be mere guess-work to say what per cent.

Q. Would the shortage amount to as much as three months in each year?—A. Yes, sir.

Q. How has that deficiency been supplied, if at all?—A. Usually, by these Indians being absent; it has run from three to five months. When the buffalo were here, I sent the Indians out on a hunt, and what buffalo they brought in would partly bridge over the deficiency. The sale of their robes would also help them out. For three years before this, the deficiency was bridged over by dressing hides for the traders.

Q. In other words, the Indians by their personal labor and by hunting, would eke out the shortness of their allowance when the government failed to provide full rations?—A. Yes, sir.

Q. Has there been any difficulty during that time to get contracts to furnish supplies of meat, flour, corn, bacon, &c., if the funds had been on hand for the purpose of buying?—A. I think not.

Q. The supplies were within reach if you had had the means to purchase?—A. Yes, sir. We do not purchase the supplies, however; we merely estimate the amounts needed of the several articles, and they are supplied to us by the Commissioner of Indian affairs.

Q. Is there any longer any reliance to be placed upon buffalo as a source of supply?—A. I do not think there is.

Q. How long since the Indians could have supported themselves, or supplied themselves with food by hunting the buffalo?—A. Three years; for the past three years, taking into account the wear and tear of their lodges, the loss of camp equipage, and of ponies, they have come back worse than they went out. They have lived, and that is about all.

Q. Has it been the policy, when the supply runs out, to send Indians on a buffalo hunt, or has it been the policy to try to distribute the allowance for nine months over the whole period of twelve?—A. I think I have made use of both means.

Q. You have held back the rations?—A. No, not held them back; that is, not withheld them entirely. I have distributed them so as to let them run as far through the fiscal year as possible when we were short of supplies at the agency.

Q. But the Indians have never, in fact, received more than nine months rations out of the twelve?—A. I think not.

Q. How has it been with the annuity goods since these Northern Cheyennes came down here?—A. There have been two issues; one last year, and one the year before.

Q. Did you issue in October?—A. I believe it was in October. I could tell by looking at my books.

Q. In what manner were those issues made, to the chiefs of bands, the heads of families, or how?—A. To the heads of families. Since these family tickets were got up, annuity goods, as well as rations, have always been distributed to the heads of families.

Q. Are the annuities issued on checks similar to these ration checks?—A. We use the ration checks themselves. We make a mark upon one corner of the check which *we* understand, so as to prevent our paying out goods upon the same check twice.

Q. On the ration check, I see, you make out an itemized statement of the goods issued; have you any paper containing an itemized statement of the annuity goods issued to the Indians?—A. Yes, sir.

Q. Let me have one of them, if you please. (A specimen sheet was handed to the chairman.) In issuing annuities, you furnish the heads of families with a check or paper similar to this?—A. No, sir; nothing other than the ordinary ration check. The head of a family or some member of a family presents this check. Last year, in order that we might not repeat—that is, issue goods to the same persons twice—we adopted this plan: In the first place, an officer of the United States Army stood with me, as the law demands, to see that the goods were fairly and honestly distributed. When I receive a check, another man makes a record to show that I have received it. Then I call out the number of men, women, and children in the family—total, so many. We have a lot of clerks stationed around. One clerk distributes calico, another some other article, and so on throughout the list; and when the clerks announce to me that the distribution of goods to that family is finished, I punch the ticket (so as to know it immediately if it should be again presented), and hand it back to the person from whom I received it. Last year I punched close to the first letter, the "W" in the word "Weekly," on the face of the ration check.

Q. From what stores are you supplied with annuity goods, or from what point do you get them?—A. From Wichita, Kans.; that is, the railroad terminus.

Q. Do you make the purchases of annuity goods, or are they issued to you by the government?—A. They are consigned to me by the Indian Department; having been purchased by the Commissioner of Indian Affairs, under the supervision of the Board of Indian Commissioners.

Q. Then you have nothing to do with the selection of the goods sent here?—A. No, sir; nothing whatever.

Q. You have only to issue the goods in accordance with the law?—A. That is all, sir.

Q. The quality of the goods does not depend in any way upon your judgment or suggestion?—A. No, sir; I sometimes, in forwarding to the department my estimates, make a special note as to what I regard as a necessity, in regard to some certain article. I can show you the annual estimates that I send out.

Q. In what way do you supply the children at the school—the mission—with annuity goods?—A. We have a school contractor; we enter into a contract with an individual, and the contract provides that the clothing and other goods necessary for the subsistence and comfort of the children in the school shall be issued upon the requisition of the school contractor.

Q. Do you issue the goods to the school contractor?—A. Yes, sir.

Q. He makes a requisition upon you, and you fulfill the requisition?—A. That is the way of it.

Q. Where are those goods stored until needed for the children's use?—A. Over at the mission—the school building: he has employés to manufacture them into clothing.

Q. Then, if I understand the matter correctly, the children are separated from their families, and considered as a distinct community?—A. Yes, sir.

Q. Dropped from your other rolls entirely?—A. Yes, sir; aside from the camp Indians; so far as the issuance of annuities and subsistence to the school children, the school proper, is concerned, it is made out on a distinct roll.

Q. What clerks are employed by you in the issue of annuity goods; your own staff, your own men?—A. I have frequently had help from the post. Colonel Mizner has often kindly furnished me a part of the help; sometimes I have had somebody else from the post. In order to make a prompt issue, to get along with anything like dispatch, we have got to have somebody with each separate article; that would take more employés than I have, and that is the reason why I have obtained help from the post. It needs one to have charge of the blankets; another the pants; another the shoes; another the hats, and so on, running through the whole list. We arrange the goods upon the counter, each class of goods in a separate pile by itself, and place each man in charge of his own pile or kind of goods.

Q. In this issue of annuity goods, do you ever have any surplus left over?—A. Sometimes there is a surplus left over.

Q. What do you do with the surplus, carry it to the next year's account?—A. Last year we were authorized to issue the small surplus we had, in part payment for work, to those who could be induced to work.

Q. You say there have been two issues of annuity goods since the Northern Cheyennes came down here?—A. Yes, sir.

Q. Can you give the names of the officers who were appointed by the government to come and supervise the issue of your annuity goods, for those two years?—A. Year before last it was Captain Fletcher.

Q. Is he here, at this post?—A. No, sir; he is east, in the recruiting service.

Q. What is his full name?—A. I think his initials are "J. S."

Q. Does he belong to this command now?—A. I think he does.

Q. But is absent now on recruiting service?—A. I understand so. Captain Fletcher also supervised an issue of annuity goods that were issued in June, 1878; these were goods intended for that portion of the Northern Cheyennes who remained north when Dull Knife and his party came to this agency; under instructions from the Indian Office they were given to the Indians here, as an inducement to labor. The issue of annuities in November, 1878, was supervised by Captain Sweeny; but he was ordered on detached service immediately afterward. Two or three hundred of the Indians did not receive their annuities then, because they were absent on a buffalo hunt; they received theirs later, as also did Little Chief's party, who had not yet reached this agency when the general issue took place. This last issue was surpervised by Captain Barber.

Q. Who detailed these officers?—A. The commanding officer of the post.

Q. Have any of the Indians ever made complaint to you of shortage in the issues of annuity goods?—A. Yes, they have occasionally done so; nothing specific has ever been presented to me, but such complaints have been made. Sometimes they get provoked, or vexed, and say that the goods have been hid away, or stolen, or something of that kind.

Q. Are not the Indians generally a very jealous and suspicious people?—A. Well, yes, sir; I think I can say they are.

By Mr. DAWES:

Q. Are your annuity goods issued, a certain number of specific articles to each individual, or so much of goods to each individual, he having his choice and being permitted to take what he needs most?—A. A list of specific articles is made out—so much of men's wear to the men, and so much of women's wear to the women.

Q. Suppose a man wants two pairs of pantaloons, but does not want a coat; can he take two pairs of pantaloons instead of one pair of pantaloons and one coat?—A. We have not usually issued in that way. Sometimes, when there are not enough goods to go around, we have to use some discretion.

Q. Your theory is, to deliver certain specific articles to each individual, whether he needs another article more than that or not?—A. Yes, sir.

By Mr. MORGAN:

Q. You have a roll containing the name of every Indian under your charge?—A. Yes, sir.

Q. In making estimates for the government, do you make an estimate of certain specific articles for each Indian?—A. We have a roll containing the name of every Indian under our charge.

Q. And your requirement is made upon that basis?—A. Yes, sir.

Q. The government expects you to give a certain specific article to each Indian?—A. Yes, sir.

By the CHAIRMAN:

Q. It was made a matter of complaint before us yesterday, that in distributing these annuity goods, the muslin, and calico, &c., was torn up into such small pieces that it was of no use to the Indians, instead of being given them in larger pieces, from which they could make some article of wearing apparel. Now, suppose that a family of six persons are entitled to a certain number of yards of calico—say three yards each, or eighteen yards in all; do you tear up that calico into six pieces of three yards each?—A. No, sir; we give it to them whole, and leave it to them to divide it, or do what they choose with it. We have taken this much liberty sometimes: in the case of two persons in a family, we have given more of one thing to one, and more of another thing to another; thus, in giving out calico and muslin, we might give to one all calico, and to another all muslin; for in the case of so small a family, if the calico and muslin were divided equally between them, the pieces would be too small to be of any use to either.

By Mr. MORGAN:

Q. Can you furnish the committee a list of the annuity goods you are authorized to issue—annuity goods, in distinction to implements of agriculture, &c.—so that we can see the amount of goods going to one individual?—A. The annuity goods are provided for by treaty; that is, the treaty provides a certain amount of clothing for each person; but I think the Commissioner of Indian Affairs has used a certain amount of discretion; he used to send blankets and strouding; but that has been changed, and they are not sent as annuity goods any more.

Q. Are any axes, plows, hoes, implements of agriculture, or cooking implements, knives, or anything of that sort included in the treaty by which your distribution of annuity goods is regulated?—A. I so understand it; they are sent here by the department, as a part of the annuity.

Q. So when you issue a plow or a hoe—— A. I ought to say, by way of explanation, that there is another fund, called a "beneficiary fund," of $20,000 a year, for the benefit of this agency; I think the knives and smaller hardware are purchased from the annuity fund, though I am not certain just *what* funds the different purchases are made from; and I have reason to believe that the plows and agricultural implements are bought with the money from that $20,000 beneficiary fund."

Q. In giving out annuity goods you understand what is included and what is not included?—A. Yes, sir.

Q. And you do not, under that list, give out plows, hoes, &c.—A. We do not; but sometimes, where something of that sort is left over, we issue such things in addition to the annuity goods.

Q. In lieu of annuity goods?—A. No, sir; *in addition* to them. For instance, axes to the men who are chopping wood for us; we give them that much advantage over the others.

Q. Because they work?—A. Yes, sir; we are authorized to increase the rations of Indians who work, not to exceed double the ordinary rations in amount.

Q. When you first came here as agent of these two tribes, the Arapahoes and Cheyennes, did you locate here in this particular spot?—A. The agency was located here in 1870; I came here in 1872.

Q. You have never been anywhere else?—A. No, sir. I held an appointment as agent for the Kickapoo Indians, but I was first assigned to duty at this point.

Q. When you came here were there any Indians in the reservation north of the Cimarron, between that river and the Kansas line?—A. No, sir.

Q. All the Arapahoes and Cheyennes have been between the Cimarron and the Canadian ever since you have been here?—A. Yes, sir.

Q. Has any question ever arisen, since you have been here, between the government and the Indians as to whether that country between the Cimarron and the Kansas line, or this country between the Cimarron and the Canadian, was the true reservation of the Arapahoes and Cheyennes?—A. Yes, sir; there has been such a question.

Q. Have the Indians made the question?—A. Yes, sir; the question was sprung by them; and inasmuch as this region down here had been assigned them by law, the Commissioner of Indian Affairs authorized me to take a delegation of Indians to Washington to settle the reservation question, and also to meet the Northern Cheyennes. We went to Washington in the winter of 1872-'73.

Q. Since you have been at this agency have any of the Indians applied to you for personal reservations of land to be assigned to them individually, and a paper title given them?—A. No, sir.

By Mr. DAWES:

Q. Have you suggested any such idea to any of them?—A. No, sir.

By Mr. MORGAN:

Q. Has the question ever arisen between you and the Indians as to whether you have the right, or would have the right, to locate them in the reservation between the Cimarron and the Kansas line?—A. I think I presented the question to the department as a matter of my own suggesting—not suggested by the Indians.

Q. You presented that question to the department yourself?—A. Yes, sir; in order to secure to these Indians a permanent right.

Q. The Indians in this present territory select their land for themselves, and state what they desire to cultivate, if they desire to cultivate anything?—A. Yes, sir; I do not dictate to them where they shall settle. I have sometimes gone so far as to say to an Indian who contemplated settling down somewhere and going to farming, "A white man, in making his selection of land for a home, takes three points into consideration—good soil, good water, and good timber." That is the nearest I have ever come to defining or fixing any place for an Indian to settle.

Q. Can you give the committee any definite idea of the number of farms that have been settled upon and placed under cultivation by the Arapahoes and Cheyennes on your agency?—A. Well, there are a good many places, that is, patches, as you might say; I hardly know whether you would call them "farms." If an Indian opens up an acre of ground and cultivates that well, I think it is better than to open up a hundred-acre farm under a white man.

Q. Can you give us no idea as to about how many?—A. I do not think I could. Mr. Covington is head farmer and knows more about that matter than I do; you could get a more correct statement on that point from him.

Q. Do you consider that the Indians are really making any progress in learning the art of agriculture?—A. Yes, I do.

Q. Are they making any progress in the matter of crops—raising better and larger crops?—A. Yes, sir; this season, however, has been an exceptional season; it has been very unfortunate for them on account of the drought.

Q. How has it been in regard to that in the former seasons since you have been at this agency?—A. You cannot count with any certainty on sufficient rain in any particular year to farm it successfully. Some years you will have rain enough, but every third or fourth year a drought will come, and you will lose your crop. Ever since I have been here we have lost one crop out of four at least. If you could know at the beginning just when to plant corn you could generally get a fair crop; one season by planting early you could get a good crop, the next season you could get a good crop by waiting and planting late; but as you cannot know what the weather is to be beforehand, one season you will plant your corn early when you might have saved it by waiting and planting late; then the next season you will wait and plant late, and in that year it will turn out it would have saved your crop to have planted early. So the drought, and the ignorance as to when it will come, make farming very uncertain business in this territory.

Q. Has the government authorized you to distribute seeds to the Indians?—A. Yes, sir.

Q. Of what kinds?—A. Corn, beans, melons, and garden seeds generally.

Q. Has the government made any effort to provide wheat for them to sow?—A. No, sir.

By the CHAIRMAN:

Q. Is it not supposed that wheat will grow here?—A. I have my own ideas about that. My impression is that you can raise wheat on certain lands; for instance, on some of the land between the North Fork and the main Canadian; the land there is not so rough and sandy as the most of the land you have come over.

Q. Would you think of raising it as a winter crop?—A. Yes, sir, entirely.

Q. How are the rains during the winter?—A. It rains considerably some seasons, but some seasons it is very dry.

Q. How is the weather in the winter as to temperature, cold or moderate?—A. It is generally moderate; but I have suffered from cold here as much as I ever did in Ohio or Indiana. The winds from the north are terrible here sometimes.

Q. Is there much snow here?—A. The snows here are very light.

Q. Do you have to have forage for cattle?—A. It is not necessary for cattle that have been raised here.

Q. What do they feed upon in the winter?—A. On cured grass.

Q. The snow does not interrupt the grazing?—A. Only occasionally; last winter was an unusually hard winter for grazing; there came a heavy sleet, covering the buffalo grass, so that our cattle had to go down to the timber to browse, and pick out the little green grass.

Q. Did that kill any of your cattle?—A. None of those that were raised here; the Texas cattle, that came from the south and were not acclimated here, some of them died.

By Mr. DAWES:

Q. Mr. Miles, you say you distributed to the Indians seeds, such as beans, melon-seeds, and the like; in what quantities did you distribute them?—A. We have have usually taken into consideration the number that we thought would be likely to engage in the work of farming. Mr. Covington, who is well acquainted with what the Indians are doing in this line, and with the size of their patches, has usually had charge of

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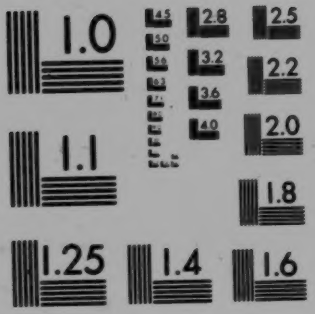
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the distribution of seeds; in fact, I have invariably put him in charge; and I would refer you to him for information in regard to that matter.

Q. Can you tell whether the distribution continues to the same persons, year after year, or whether in different years the seeds are distrbuted to different persons?—A. The same persons frequently come back with additional persons who are anxious to procure seed.

Q. Do you know whether any of them have any idea of preserving seeds for themselves?—A. They invariably save melon-seeds; Indians are very fond of melons.

Q. If they know enough to save melon-seeds, would there be any difficulty in their saving other seeds if they were personally instructed in regard to such matters?—A. We have been talking about that matter to them of late; but this season they have made such a failure in the most of their corn patches that they won't have much to save.

Q. Melon-seeds, and other seeds of that kind, are worth nothing for food, but corn, beans, and the like are good for food as well as for seed; so I did not know but they might save melon-seeds, and yet eat up the other kind of seeds.—A. Heretofore they have eaten their beans right up without saving any for seed.

Q. So if you give them beans, and things of that sort to plant, you will have to repeat the gift next year?—A. That has been the experience in the past.

Q. The Commissioner of Indian Affairs has recently issued instructions requiring agents to request Indians to save their seeds; have you had any experience on that head?—A. The instructions came to hand only a few days ago.

By Mr. MORGAN:

Q. You spoke awhile ago about an issue of three pounds of beef on foot being considered equivalent, in the regulations of the government, to a pound and a half net; now I will ask you whether an issue of beef on foot, of three pounds, to the Indians, the way they use beef, is not really more to them than a pound and a half net would be to a white man?—A. Undoubtedly it is.

Q. I understand, and ask you whether it is true, that they eat up the whole beef, even including the entrails; that they empty the intestines of their contents, and use all the balance?—A. Yes, sir; they do this, not because they are obliged to, but from choice.

Q. They are allowed to retain the hides, are they not?—A. Yes, sir.

Q. Is this allowed them by government, under any provision of the law?—A. Well, really, I do not know about that; they have just been given the whole animal on foot, and been permitted to keep the hides; they sell the hides to the trader for two dollars each.

Q. Do they sell them dry or green for two dollars each?—A. Green.

Q. Without reference to the size?—A. Yes, sir.

Q. Is there any restriction against their selling the hides where they please?—A. None at all; Mr. Covington has frequently told them it would be a good plan to take them to Wichita, and sell them there.

Q, They have the right to go there with them if they choose?—A. Yes, sir.

By Mr. DAWES:

Q. What is the experience in that regard, when the Indians go to town and sell anything; do they waste the money they get for it, drink it up, or squander it in any other way?—A. No, sir; so far as getting drunk is concerned, we have run a wagon-train, driven by Indians, to Wichita for three years and over, and have never had a drunken Indian yet.

Q. Do they waste their money, or bring it home? Have they any such idea of property that they take care of what money they get?—A. They almost invariably spend it for saddles, or clothing, or something of use to them that is not furnished them by the government.

By Mr. MORGAN:

Q. What is the precise relation of a trader and an Indian agent? Is the trader under the control of the agent, to any extent?—A. Yes, sir, to some extent; the trader is entirely under the control of the Commissioner of Indian Affairs; he is required to make out a list of his goods, with their prices, and put one list on file in my office, and send the other to the Commissioner of Indian Affairs.

By the CHAIRMAN:

Q. You have no control over his price-list?—A. I have not so understood it.

By Mr. MORGAN:

Q. You have exercised no control?—A. I have spoken of it.

Q. Do you know how his prices compare with those of the post-trader?—A. They are about the same; they do not dare to sell to Indians at rates different from those at which they sell to whites; that is the law.

Q. The Indians have made complaint to us that the half-breeds in the store, the interpreters, cheat them. Have you any reason to believe that that is a just complaint?—A. This is the first intimation I have ever had of any such complaint. The half-breed interpreters have nothing to do with the prices at all; if they are unfair, unjust, or take advantage of the Indians in any way, the latter ought to complain at once to the trader himself; and if he does not see the matter righted, let them make known their grievances to me, and I will correct it.

By Mr. DAWES:

Q. Do you know of any instances where the trader or the interpreters have sold to Indians at prices higher than those set down on the price-list filed in your office?—A. No such complaints have ever been made to me. Mr. Bent and Mr. Gerrier are the two interpreters; the traders have never made any statement other than that they believe them to be perfectly reliable and honest men.

By Mr. MORGAN:

Q. The Indians suggest that it would be to their advantage if there were more traders.—A. We have invited them to come. We concur in that opinion.

Q. This gives a monopoly to one man?—A. Yes, sir.

By Mr. DAWES:

Q. How could that benefit the Indians if the traders come here with fixed prices?—A. They don't come here with fixed prices. They fix their own prices, and report them to the Commissioner of Indian Affairs. Since the matter has been in the hands of the Commissioner of Indian Affairs, two or three different parties have been licensed to trade at this agency.

Q. But have not come?—A. Most of them have come, but went away again. I offered them every facility. They could have had a building-spot here at any place at all. The last party made partial arrangements with the present trader for the sale of that old building. Mr. Evans, in fact, built this new building.

Q. Did Mr. Evans get a license to trade here?—A. Yes, sir.

Q. While post-trader over at the fort?—A. No. N. W. Evans is the trader over there, and J. S. Evans is the one that was licensed to trade here.

By Mr. **MORGAN**:

Q. Do Indian traders build their own houses?—A. Yes, sir.

Q. Indians are not permitted to trade with post-traders at all?—A. No, sir; except the scouts; enlisted scouts, I believe, are permitted to trade there.

Q. In the character of soldiers?—A. That is my understanding. Mr. Evans told me that was the custom at all the different posts, and I did not object to its being done here. I saw no reason to object.

By Mr. **PLUMB**:

Q. In making out your requisition for annuity goods, did you make out the requisition in accordance with the provisions of the treaty?—A. No, sir; I cannot say that we did.

Q. On what basis did you make out your estimate for goods?—A. Usually on the basis of furnishing one good suit of clothing for each individual.

Q. Have you furnished one good suit of clothing to each individual each year?—A. I think we have.

By the **CHAIRMAN**:

Q. We might get at the idea a little differently. Do you make out a list of the articles you want and forward that list to the department, or do you send a list or roll of the people?—A. We send both a roll of the people and a list of the articles wanted; a printed list is sent—blankets, &c.

By Mr. **DAWES**:

Q. On that printed list you make a requisition of so many articles, selecting therefrom the articles you desire?—A. Yes, sir; we make a selection from the variety of articles named on that printed list to select from.

Q. Is that requisition final, or is it controlled there?—A. It is controlled entirely there. Our estimate for this agency last year footed up enough to almost take the appropriation for these three agencies.

Q. You are governed somewhat, in making your estimates, by your own judgment of the needs of the Indians?—A. Certainly, sir.

Q. And according to your judgment and experience of his needs, you make out your requisition in such a way as to secure, as nearly as possible, one good suit of clothing for each Indian once a year?—A. Yes, sir.

Q. You made out a requisition for what you deemed necessary for that purpose last year, and on footing it up you found that to fill it would take almost the entire appropriation for these three agencies?—A. Yes, sir.

Q. This agency and what two others do you refer to?—A. Well, counting subsistence——

Q. I am speaking now of the annuity.—A. No, not in annuity goods alone.

Q. Well, now, speaking of annuities alone, how did this requisition which you say you made out in accordance with your best judgment compare with the appropriation made by Congress for this agency for that purpose?—A. The appropriation made by Congress was $14,500, I think, and my requisition for annuities was $17,194.

Q. You made a requisition, then, according to your best judgment, of the needs of each Indian at your agency, which amounted to a little over forty-seven thousand dollars, and Congress appropriated, according to their judgment of the needs of the Indians for the same thing, how much?—A. They appropriated just whatever the treaty provides.

Q. How much was that?—A. I was just looking to see how much it was; here it is, fourteen thousand dollars.

Q. You think Congress appropriated all that the treaty required?—A. That is my understanding of the matter.

Q. Then, according to your judgment of the needs of each individual Indian, to secure him a suit of clothes once a year, or its equivalent, there was necessary to be appropriated more than the treaty requires, by all the difference between fourteen thousand and forty-seven thousand dollars?—A. No; not just for clothing.

Q. Then it seems that we fail to understand each other, somehow; let us come back and cipher out this matter again. You make a requisition for clothing for how much?—A. In order to answer that I would have to separate the clothing from the other goods and foot it up separately.

Q. Then it is not worth while to spend the time.—A. That footing (the witness pointing to the total at the bottom of the list) includes, you see, *all* the annuity goods.

Q. Yes; then while I have been talking about clothing alone, you have been talking about all kinds of annuity goods. But to proceed: You make a requisition for annuity goods amounting to forty-seven thousand dollars; Congress appropriates for annuity goods only fourteen thousand dollars?—A. That is for clothing.

Q. Now we will get the other.—A. Twenty thousand dollars is a beneficiary fund—a fund for beneficiary purposes; how much of that is embraced in what that estimate covers I cannot tell; it never has been given to me.

Q. Tell me this: Did Congress appropriate for annuity goods all that you deemed the necessity of the Indians for those goods required?—A. No, sir; I do not think it did.

Q. How much did the appropriation made by Congress for annuity goods fall short of what you deemed the necessities of the Indians required?—A. Merging the appropriations for the clothing and for the other goods together, fourteen thousand and twenty thousand would be thirty-four thousand dollars, which is all that could possibly have been expended for those annuity goods; and there could not have been that much expended, for I know that out of this twenty-thousand-dollar beneficiary fund comes a lot of wagons.

Q. You had for annuity purposes how much money appropriated?—A. For clothing fourteen thousand dollars and for beneficiary purposes twenty thousand dollars; but I do not know how much of that twenty thousand dollars was expended for annuities; I only know that it could not all have been expended for that purpose, for some of it I know was used for other purposes.

Q. The fourteen thousand dollars and the twenty thousand dollars makes thirty-four thousand dollars; now let me understand—this covers *all* the appropriations that you had from which to supply these wants?—A. Yes, sir.

Q. Still you make a requisition, because in your best judgment you think it is needed to supply the wants of the Indians under your charge, of over forty-seven thousand dollars?—A. Yes, sir.

Q. Therefore, assuming that you made a requisition for no more than you deemed necessary, there was a deficiency of at least thirteen thousand dollars?—A. Yes, sir.

Q. How did you get along with that deficiency; how did you manage to make thirty-four thousand dollars worth of goods supply forty-seven thousand dollars of necessities; how did you distribute the goods when they arrived; did you give to each Indian as he came along what he asked for, or did you undertake to expend the thirty-four thousand dollars of forty-seven thousand dollars of necessities as well as you could?—A. That is just what I did.

Q. Then you did not give to each Indian all that you really thought he needed, but tried to make thirty-four thousand dollars do the work of forty-seven thousand?—A. Yes, sir.

Q. In your opinion, did this lack of over thirteen thousand dollars distress the Indians here?—A. Well, now, I do not think I can recall to mind any particular case of actual distress; of course they went without some things that it would have been very convenient and comfortable for them to have had.

Q. Did the Northern Cheyennes suffer any of the inconvenience and discomfort from that shortcoming of the appropriation?—A. They did last year, but not the year before; the year before the appropriation was made for the Northern Cheyennes distinct from the others.

Q. The year previous to the outbreak they had a distribution, or an issue, in the line of annuity goods, as far as, in your opinion, their needs required?—A. Yes, sir.

Q. Under a separate appropriation, if I understand you correctly?—A. Yes, sir.

Q. So that whatever causes of complaint they might have had, after coming down here and before a portion of them started north, no part of it, in your judgment, ought to be attributed to any lack of annuity goods?—A. No, sir; I think they got a very good issue.

Q. Since then, you think that they, in common with all the other Indians here, have had to suffer some inconveniences and discomforts on account of a lack of annuity goods?—A. Yes, sir; the last appropriation was made in common. I was notified by the department that after the 30th of June, 1878, there would be no necessity of keeping separate accounts between the different tribes.

By Mr. PLUMB:

Q. Did the year in which the appropriation was short cover the year in which a portion of the Northern Cheyennes escaped?—A. No, sir.

Q. Did they not escape during the last fiscal year?—A. Yes, sir.

Q. Was not that the year in which the appropriation was short?—A. Yes, sir; it was.

By Mr. DAWES:

Q. Was the year in which they escaped the year in which they received annuities under the appropriation which you have said was insufficient?—A. That was the year in which the appropriation was made, but they did not remain to receive any benefit from it; the goods were not distributed until after they had gone away.

Q. Had the ordinary time of the distribution of annuity goods arrived before they went away?—A. It had not; the goods are sent out to the different agencies in October; but they were not here in October, until arrangements were made for the Indians to haul their own supplies.

Q. Does this plan of having the Indians haul their own supplies work well, in your opinion?—A. I think it does.

Q. What compensation do they receive for hauling those supplies?—

A. My proposition to the department, and accepted by it, was to buy wagons, from the funds applicable to the transporting of supplies, and let the Indians work out the full value of the wagons in transporting supplies, at the rate of $1.75 per hundred-weight. In this way they pay for the wagons and harnesses.

By Mr. MORGAN:

Q. Everything but the stock?—A. Yes, sir.

By Mr. DAWES:

Q. Does this method of transporting your supplies cost the government as much as heretofore when that work was let by contract?—A. No, sir; before that, when the work was done by contract, the price was $2.10 per hundred-weight.

Q. Does this plan of hauling their own supplies please the Indians?—Yes, sir; it does, very much.

Q. Does it seem to spread among them a desire to participate in the work?—A. Yes, sir.

Q. Do they make good use of their wagons and harness after having paid for them?—A. Yes, sir; excellent use.

Q. What do they do with them? What use do they make of them, besides bringing their supplies from the railroad?—A. They do jobs of various kinds, such as hauling wood; the principal use they make of them is that of hauling wood to their camps; this takes a great deal of labor off from the squaws, who have had it to do heretofore.

Q. Do you, or any of your attachés, aid them in trying to get employment for their teams?—Yes, sir; we take that as an especial duty; the Indians are now at work putting up and hauling in three hundred tons of hay, over at the post.

By Mr. MORGAN:

Q. *Cutting* and hauling?—A. Yes, sir.

By Mr. DAWES:

Q. Does it contribute to their efficiency for white men to work with them?—A. Certainly it does.

Q. Do they readily obey the instructions of white men?—A. Yes, sir; when a white man once gains their confidence, he can get them to do almost anything.

Q. Do they manifest a desire to become proficient themselves in the manner of doing such work as white men are generally engaged in?—A. They do manifest a very great desire to learn how to do such work and to become proficient in it.

Q. If you had the means and efficient, proper men of your own selection, could you, in your opinion, get the Indians in the way of raising stock?—A. I think we could, some of them, by degrees. Those cattle—I speak without intending to be understood as finding fault—but those cattle that were delivered to the Northern Cheyennes by General Mackenzie did not last them long. If some man had had in charge about as many of these families as he could oversee, and intrusted them with a few cows, he could have secured their protection until they grew into a herd. I am quite sure it might be done now; three or four years ago it could not.

Q. In which tribe?—A. Either one; these Northern Cheyennes, I would not like to trust them much. When the Secretary of the Interior was offering cattle to Little Chief, he objected; he said he did not want them; but one of the young men suggested to Little Chief, "Take them and we can eat them."

Q. Do you consider it more difficult to introduce the white men's ways of living among the Northern Cheyennes than among the other Indians here?—A. Yes, sir.

Q. Do you understand that a portion of the Northern Cheyennes are contented here?—A. I think they are.

Q. Do they manifest as much disposition to enter upon agricultural pursuits as the others?—A. Yes, sir; I think so. Living Bear and Standing Elk made a request for wagons, and they got wagons and are using them now.

Q. Who takes care of these teams, the men or the women?—A. Well, both.

Q. When they go up to Wichita to haul down their supplies, do they ever go alone without a woman?—A. Yes, sir; but they like to have a woman along. I do not wish to dodge that question.

By the CHAIRMAN:

Q. Do they grease their wagons?—A. O, yes, sir; Mr. Covington has been wagon-master for two years, and can tell you more than I can about these things.

By Mr. PLUMB:

Q. Have all the Indians who wanted them had agricultural implements furnished them?—A. Not of all the different kinds; this year there has not been enough; some things there are plenty of, other things not.

Q. What is the reason of the failure to have a full supply of all the articles named in the rations?—A. I could not tell.

Q. Do you know of any reason why all the flour, sugar, coffee, beef, beans, &c., to which these Indians are entitled, could not have been furnished promptly as required?—A. I know of no reason further than the one they usually assigned, "No funds on hand."

Q. As you understand it, contracts are let at one time in the year for the entire year, are they not?—A. Yes, sir.

Q. Is there any reason why there should be any deficiency after that date?—A. Not if they would fill the entire estimate I send in.

Q. Is there any physical obstacle in the way of the delivery of the articles here?—A. No, sir; we could transport ten times as much as we do now.

Q. The delivery or non-delivery of the goods is something with which the agency here has nothing to do?—A. It has not had heretofore, but now that we have taken upon ourselves——

Q. I mean heretofore; was the beef supply short last year?—A. The original contract was short; there was a deficiency of a million pounds allowed for May and June.

Q. I did not mean for the fiscal year, but for the calendar year; was the beef supply short of the amount required by treaty?—A. It was not, in fact; it was exhausted, so that we had to get it by——

Q. You did get it, and so you did have it?—A. We did have the beef.

Q. You mean to say that every week you delivered to every Indian every pound of beef to which by law he was entitled?—A. Yes, sir; every time.

Q. Was the beef good in quality?—A. Well, it was not grossly bad.

Q. Now, if it be the fact that every week last year you delivered to every Indian every pound of beef to which he was entitled under the treaty, what do you mean by stating to Senator Morgan that the beef supply was from three to five months short?—A. That was not last year—not 1878; when I speak of "years" I mean from June 30th to June 30th—fiscal years.

Q. How was it with the fiscal year ending with the 30th of last June?—A. We had plenty.

Q. Did you have all the flour required to make a full ration?—A. No, sir; we did not.

Q. Do you mean by that that the gross amount was not sent here to be distributed, or that at particular times the flour was not here?—A. It would apply to both; at particular times there was no flour here at all, and the gross amount was short.

Q. At what times were you out of flour?—A. I could not speak from memory as to that; I would have to refer to my books.

Q. Can you not tell what portion of last summer, and state whether you were out of flour for one, two, three, or four issues?—A. I should say three or four issues.

Q. How much was the gross amount short of the full amount you should have had?—A. I could not say.

Q. What was the gross amount of beef received during the year ending June 30, 1879?—A. I cannot state from memory; if you desire, I will examine my books and furnish you a statement in writing.

Witness was requested to do so; and afterward did so. (See appendix, Exhibit "A.")

Witness was also requested to furnish a similar statement as to the amount of flour received during the same year; and afterward did so. (See appendix, Exhibit "B.")

By Mr. Plumb:

Q. I wish now to refer you to the treaty between the government of the United States and the Cheyennes and Arapahoe tribes of Indians, proclaimed August 19, 1868, and to inquire how far the provisions of that treaty have been fulfilled, so far as you are concerned. That treaty provides that the United States shall deliver, "on the fifteenth day of October of each year, for thirty years, the following articles, to wit: For each male person over fourteen years of age, a suit of good, substantial clothing, consisting of coat, pantaloons, flannel shirt, hat, and a pair of home-made socks." Now I will ask you, Mr. Miles, whether you have delivered to each male person over fourteen years of age, among these Indians, a suit of good, substantial clothing, consisting of coat, pantaloons, flannel shirt, hat, and a pair of home-made socks?—A. I do not believe I have.

Q. Have you delivered "to each female over twelve years of age" what is required by the treaty: "a flannel skirt, or the goods necessary to make it, a pair of woolen hose, twelve yards of calico, and twelve yards of cotton domestics?"—A. Perhaps not exactly in kind.

Q. Well, have you delivered the equivalent of those goods?—A. I would hardly be able to state positively without looking at my lists; when we get our annuity goods in, we make out a list of what we can give to each person.

Q. Have you given to each male and female Indian, each year, the equivalent of these things mentioned in the treaty?—A. I do not believe I have.

Q. Why have you not issued to these Indians the articles mentioned in this treaty or their equivalent?—A. Simply because they were not sent to me by the government.

Q. Have these goods mentioned in the treaty, or their equivalent, been issued, each year, to the Southern Cheyennes and Arapahoe Indians?—A. I do not think they have; I know they have been dissatisfied with our issue, because the Kiowas and Comanches would come up here and say, "We got *so* much." There are less of them in number, and each one gets more goods.

Q. In regard to these Southern Cheyennes, have you had furnished you the sum of five hundred dollars annually, to be expended in presents to any members of the tribe who excelled in agriculture?—A. We made an estimate at one time——

Q. I asked you if you had had it?—A. No, sir; we made use of a very small portion, at one time, upon one or two Indians; there has not been any number of them that I considered deserving for their efforts in farming. Nothing has been done about the matter since.

Q. In regard to these Northern Cheyennes, I will ask you whether you have given a good suit of substantial woolen clothing, consisting of the articles named in the treaty, or the equivalent thereof, every year, to each male person over fourteen years of age?—A. We did the first season they came here. Since that time, I think, the distribution has been less than that of the year before. Those that ran away did not get any, as I said before.

Q. In regard to the females over twelve years of age among the Northern Cheyennes, I will ask you whether they received, in accordance with the terms of the treaty, each of them, "a flannel skirt, or the goods necessary to make it, a pair of woolen hose, twelve yards of calico, and twelve yards of cotton domestics;" and also whether "the boys and girls under the ages named" received "such flannel and cotton goods as may be needed to make each a suit as aforesaid, together with a pair of woolen hose for each"?—A. So far as the women are concerned, those articles were given, or their equivalent.

Q. How about the boys and girls?—A. I will make the same answer. Last year, taking the Southern Cheyennes, the Northern Cheyennes, and the Arapahoes, all together, I am inclined to believe that we had a better distribution than usual. Whether it was because the government was able to buy more goods for the money, or why, I do not know; but it was better, I thought at the time, than it had usually been.

Q. Has anything been issued to the Indians besides clothing and food?—A. Yes, sir.

Q. What?—A. Some agricultural implements; plows, hoes, wagons, saddles, axes—a variety of articles.

Q. Were those articles issued to every Indian?—A. No, sir; to those Indians only who were anxious to get them and go to work with them.

Q. Have you issued each year to these Northern Cheyenne Indians, "in addition to the clothing previously named, the sum of $10 to each Indian roaming and $20 to each Indian engaged in agriculture in the purchase of such articles as, from time to time, the condition and necessities of the Indians may indicate to be proper," and for their own personal benefit?—A. If that has been done, it has been in some way that I have not known. If the funds have been expended in Washington in the purchase of subsistence, or something of that kind, I would not know it. I would have no means of knowing. They might, for aught I can tell, have been used by the Commissioner for the purchase of beef.

Q. But you have not delivered to the Indians any more beef, have you, than the rations called for under the treaty?—A. No, sir.

Q. And nothing is issued to these Indians by any one that does not come through your hands?—A. Not that I know of, sir.

Q. Have you delivered to each Northern Cheyenne Indian who "has removed to this reservation and commenced farming one good cow and one well-broken pair of American oxen," as required by the provisions of the treaty?—A. No, sir.

Q. Why not?—A. I have never been advised from the department to do so, and the cows and oxen have never been furnished me by the department so that I could do so. It was stated to Little Chief, when he was at Washington, that he should be given ten wagons and some plows.

Q. Has he ever received them?—A. I understand not. Certainly never through my hands. Nothing of the sort has ever been sent me for that purpose.

Q. You have a physician here?—A. Yes, sir.

Q. More than one?—A. Not until within a couple of months.

Q. Have you teachers and a miller and an engineer and a blacksmith and a sawyer?—A. We have teachers and a blacksmith; but the miller, engineer, and sawyer are all merged into one—one man fills the three positions.

Q. I will ask you whether or not, when this trouble with the Northern Cheyennes occurred, if you had had it in your power to have offered them a larger amount of annuity goods than they had been getting—for instance, the annuity goods provided for them by the treaty, including $20 each, if they went to farming, and an American cow and oxen—I will ask you whether or not that would have had a tendency to mitigate their discontent?—A. It might, to some extent; but they were exceedingly dissatisfied with the country and affairs here, and I would not like to venture the statement that it would have mitigated it much.

Q. Would not the delivery of more annuity goods and a full supply of rations tend to make them contented?—A. Yes, sir. If you will furnish me enough food and clothing, I will agree to keep the Indians peaceable and quiet all the time.

Q. Would not the delivery of cows and oxen to Indians engaged in agriculture tend to make them satisfied?—A. Yes, sir.

Q. Would not the offering of them to others tend to induce them to engage in agriculture?—A. I can scarcely answer yes as to that in the fullest sense.

Q. Well, speaking generally, would not that be the general tendency? If your say to the Indian, "I will give you a cow and a pair of oxen, a plow, and other farming implements, if you will settle down and take a piece of land," would not that be a greater inducement and be more likely to influence them to go to farming than if you had nothing to offer them?—A. Yes, sir; it will hold good among the Indians as well as among the whites that surrounding influences will have their effect.

Q. As to annuity goods, do you issue calico to any Indians in quantities insufficient to make any garment—less than enough to make a shirt, for instance?—A. No, sir; once when issuing strouding we issued very little, only enough to make them a breechclout.

Q. Did you ever tear up calico, when issuing it, into pieces too small to make any garment out of?—A. No, sir; not taking a family of three.

Q. Have you ever issued cloth of the kind of which pants are made in quantities smaller than was necessary to make pants?—A. No, sir; there was always enough to make pants or leggings for some member of the family.

Q. Did you ever issue canvas in quantities less than enough to make a tent?—A. There are so many different sizes of tents that I could hardly say; I have never issued less than half a bolt—twenty-seven to thirty yards; that will make a small tent.

By Mr. **Morgan**:

Q. Do the Indians in dressing their children, particularly their boys, make pantaloons or leggings for them?—A. They make leggings; that takes only a yard.

Q. And the girls?—A. They make leggings for the girls, too—the Cheyennes do.

Q. They retain their Indian habits in making up their clothing?—A. Yes, sir; the only American clothing ever got onto them is what we give them already made up.

By Mr. **Plumb**:

Q. Is there dissatisfaction among the Indians because of not having farming implements, or no implements of the kind they ought to have?—A. There has been some dissatisfaction of that kind in past years, but not this year; this year we have had plenty. There are a few articles, perhaps, that are not to be had, but of no great importance.

Q. Were the Arapahoes here when you came?—A. Yes, sir.

Q. Do you know who located them here?—A. Mr. Darlington was agent here then.

Q. Do you know whether they were brought here by the government or located here of their own accord?—A. They were brought here by the agent, by direction of the government.

Q. Do you know anything about their declining to go on this land lying north of the Cimarron?—A. Not of my own knowledge; but I did understand that the Indians refused to locate there.

Q. What Indians?—A. The Cheyennes and Arapahoes.

Q. Why did they refuse to locate there?—A. They did not want to be so close to Kansas, they said.

Q. Were you here when these Northern Cheyennes were brought down here?—A. Yes, sir.

Q. Did they have a chance to go there?—A. No, sir; they were located here long afterwards, and had no opportunity given them to express their choice.

Q. You never have located them or informed them that they could be located on particular tracts of land, to have it for themselves, under the provisions of the treaty?—A. No, sir.

Q. Would locating them, under the provisions of the treaty, have a tendency to keep them here permanently, and make them better satisfied with staying here?—A. I am satisfied that would be the result with all the Indians; we have got to go to building them houses and locating them permanently, I believe, before we can get them to stay here contentedly.

Q. If you had made promises of that kind to the Northern Cheyennes and had gone on to fulfill those promises as fast as you could, do you not think it would have had a tendency to mitigate this discontent?—A. I do not think it would; they were not here after farms.

Q. You have spoken of the disarming of these Northern Cheyennes. Is it not possible that they might have stolen or purchased arms from Indians about the agency here, or from the Pawnees and other Indian tribes in the Territory?—A. It is possible, but I do not know of a single instance; I could not cite a single instance that ever came to my knowledge where they purchased any.

Q. Did you ever withhold any supplies from any of the Northern Cheyenne Indians that went away, as a punishment for any offense committed, or for any other purpose?—A. Yes; I withheld coffee and sugar.

Q. During what time?—A. It was in the summer of 1878.

Q. Under what authority did you withhold those articles?—A. I did it by direction of the Interior Department.

Q. In what shape were those directions of the Interior Department transmitted to you?—A. In the shape of a circular, or rather two circulars; one dated March 1, 1878, the other April 15, 1878. (Witness handed the circulars to the chairman of the committee for inspection, and was requested to have copies of them made for the use of the committee. They will be found in the appendix, Exhibit "C.")

Q. From how many of the Dull Knife band were rations withheld, and for what length of time?—A. My memory is, on two occasions; rations were also withheld from some other Indians at the agency at the same time and for the same reason.

Q. Did you withhold rations from more Northern than Southern Cheyennes?—A. I think I did, because none of them would work; they did not pretend to do anything.

Q. What kind of work did you require them to do as a condition of receiving rations?—A. Almost anything, or any "effort" to do anything—cultivating crops of any kind, chopping wood, cutting hay, transporting their own supplies—anything at all that could be construed as "labor."

Q. What time of year was that?—A. I could not say from memory, but I should presume shortly after the order was received; probably about the first of May, or shortly thereafter. I instituted a weekly labor and ration check to show at a glance how many day's work had been done by any Indian, and when he had done them. I have a specimen here.

Weekly labor and ration check, ...quarter, 187 .

.... Agency ....

Name of tribe, ..., Family No. ....

Name of Indian, ..., Issue day, ...

Men, ..., Women, ..., Children, ..., Total ....

or..............rations.

...., *Indian Agent.*

1	1 2 3	6 5 4
2	1 2 3	6 5 4
3	1 2 3	6 5 4
4	1 2 3	6 5 4
5	1 2 3	6 5 4
6	1 2 3	6 5 4
7	1 2 3	6 5 4
8	1 2 3	6 5 4
9	1 2 3	6 5 4
10	1 2 3	6 5 4
11	1 2 3	6 5 4
12	1 2 3	6 5 4
13	1 2 3	6 5 4
14	1 2 3	6 5 4

The numbers from 1 to 14 represent the number of weeks in a quarter. Underneath these the numbers 1 to 6 represent the number of working days in each week; the number of day's works actually performed is indicated by punching the corresponding days; the punching being done by the farmer or other employé of the agency having knowledge of the same.

Q. Had the Indians whom you required to do work received agricultural implements?—A. Some of them had, though not a full supply.

Q. Did any of the Indians of the Dull Knife band, who went away, receive agricultural implements?—A. They had had an opportunity. I had offered them agricultural implements and tried to induce them to use them.

Q. How many of the Northern Cheyennes had received agricultural implements prior to the departure of the Dull Knife band?—A. I think a representation from each of the subdivisions.

Q. Five or six?—A. More than that; quite a number had subdivided a field, and been given a chance to put in little patches of corn.

Q. Were any of them set at any other work than agricultural work?—A. Yes, sir; we gave them an opportunity to chop wood and make hay and other work.

Q. Do you regard it as wise to arbitrarily enforce a regulation of that kind?—A. Well, I will be candid with you; I do not think so.

Q. But you tried to enforce it in deference to the command of your superiors?—A. Yes, sir; I tried to enforce it for a while, but I saw it was not working well, and I abandoned it.

Q. In what way was it working ill?—A. It excited their ill will and made them discontented; they were already discontented, and I did not think it wise, nor indeed safe, to continue further in that direction.

Q. You have stated, I believe, that the department purchases the supplies direct?—A. Yes, sir; I have nothing to do with it, except that I may occasionally purchase a very small order for immediate use—not amounting to anything.

Q. In making up your requisition for annuity goods and for subsistence and so on, are you governed by the provisions of the treaty, or by the instructions of the Commissioner of Indian Affairs, or by both, or by your own judgment of what is required?—A. I make my estimates in accordance with the terms of the treaty; I am also directed to make my estimates in accordance with the appropriation of the preceding year.

Q. Have you received, generally, the subsistence and the annuity goods called for by your estimates?—A. Well, no; not in full; they have usually purchased in conformity with my estimate, so far as kind and quality were concerned, but not quantity. They came nearer to my estimate as to quantity last year than ever before.

Q. Have you received notification from the department of the amount of supplies to be furnished you for the coming fiscal year?—A. No, sir.

Q. Have you received notice of the amount of beef you are to have?—A. Yes, sir.

Q. Is that amount under or over or in accordance with the requisition you have made, or is it in accordance with the provisions of the treaty?—A. I think it is under, but I cannot state from memory the precise amount.

Q. What is the number of Indians here?—A. Our last enrollment was 5,486.

Q. How often are your enrollments made?—A. Every three months; one of these enrollments each year is made by passing through their camps and requiring an actual stand-up and count. On issuing our new ration check we had a count every three months in this way: A party of chiefs, with the interpreter, pass through the tribe, and take up the old check, and make out and give out the new ones; then I require the Indians to report the births and deaths in the families, and taking these reports and my own knowledge and that of the interpreters and leading men, I am satisfied that I arrive at a result that does not vary much from the truth.

Q. Can you tell me, approximately, the cash value of the clothing issued to each Indian?—A. I could not from memory.

Q. Could you find out by an inspection of any records or accounts in your office?—A. Yes, sir; I have just furnished you the total number of Indians, and can easily get the total amount of clothing furnished.

Q. Do you think that, under proper instruction and supervision, the Indians would take more naturally to the raising of cattle, and with greater certainty of being successful at it, than the raising of crops alone?—A. Yes, sir; this is decidedly a grazing country, while it is not very reliable as a farming country.

Q. What is the tendency, the disposition, of the Indian himself, as between these two branches of labor, toward the raising of crops or the raising of cattle?—A. They have not had the opportunity yet, or very few of them have, to experiment in regard to the raising of cattle.

Q. How do they express themselves?—A. They enjoy farming very much; yet I think they would like the raising of cattle if they could have a fair start. As soon as you can get them localized, to quit roaming, so that they will look after a herd, I think it would be an excellent idea to at least try the experiment.

Q. They take good care of ponies?—A. Yes, sir.

Q. Is it any more trouble to take care of cattle than of ponies?—A. No, sir; but then there is not the temptation to eat ponies that there is to eat cattle.

Q. They put their ponies into herds?—A. Yes, sir.

Q. And they have some method of identification, so that each Indian picks out his own pony from the herd?—A. Yes, sir.

Q. Could they not identify their cattle as well?—A. Yes, sir; we give each Indian who calls for it a brand for his own use.

Q. The question is whether or not, in case the Indians should bestow the same general care upon cows which they now bestow upon their ponies, it would not result in an increase of stock?—A. Yes, sir; but it would take a little time for them to learn how to take care of cattle; cattle have to be treated in some respects differently from ponies; even white men have to learn how to take care of stock before they can become successful stock-raisers. The Indians now know how to take care of horses as well as white men do, but they would have to learn how to take care of cattle. I have no doubt, however, that they could learn, under proper instruction and supervision.

Q. To take care of cattle equally well with horses?—A. I think so.

Q. Would they not be more likely to improve their condition and put themselves in a self-supporting way by stock-raising than by farming alone?—A. O, yes, sir.

Q. Are not Indians fond of horse-flesh as food?—A. Yes, sir; when a horse has died, it will be immediately cut up and eaten; when a colt is slunk, they make a very choice dish out of that. They are not at all fastidious in their diet. I have known them, on killing a cow that has been issued to them for rations, to cut out and eat the unborn calf.

By the CHAIRMAN:

Q. Would they eat a horse that had died a natural death when they were getting their regular rations?—A. O, yes, sir; they do it, not because they are driven to it by hunger, but because they like it. When the Pawnees come here on a visit they will run about our chicken-coops to see if there are any dead chickens lying about. It makes no difference to them whether they have died from cholera or anything else.

By Mr. PLUMB:

Q. Will you state—perhaps you have already answered the question, but it will do no harm to answer it again—whether you regard it as desirable that the Indians should have the privilege of locating a tract of land and calling it their own?—A. Yes, sir.

Q. And you think it would do a great deal toward making them contented?—A. Yes, sir.

Q. It would have the effect also to encourage them in agriculture and stock-raising?—A. Yes, sir.

Q. Do these Northern Cheyennes, those that went away in Dull Knife's band, send their children to your school?—A. Some of their children attended there until vacation. We have vacation in our schools here in July and August. I have no doubt that if Wild Hog's children had been in our school they never would have run away. It was vacation when those Indians started off; if school had been open and their children had been in school, I do not think they would have gone.

Q. Have you any means of finding out the number of deaths that have occurred among the Northern Cheyennes since their arrival here?—A. I cannot state exactly; the doctor could tell you about that.

Q. Was the doctor able to visit all the Indians who were sick and required his services last year?—A. No, sir. I know that on one occasion he shut up his shop and went away because he had no medicine on hand of the kind required.

Q. How long did that continue?—A. Well, he did not keep his office shut up for any great length of time; but there was a long time during which we were entirely out of medicines that were greatly needed. I know I felt it my duty to speak of the matter in one of my reports. It will be only doing me justice to present that as a record of my efforts to secure the necessary medical supplies and attendance. (See Appendix, Exhibit "D.")

Q. Had you made timely requisition which, if complied with, would have furnished the doctor with sufficient medicine to have enabled him to treat those Indians who were sick with malarial and other diseases during the summer of 1878?—A. Yes, sir; the lack of medicines was owing solely to the failure to furnish them according to requisition.

Q. When were those requisitions made; at the usual time of year, or at an unusual time of year, and especially for the purpose of meeting the exigency that had arisen here during the sickly season?—A. They were sent in with the regular annual estimates, and supplemented by statements setting forth in strong terms the necessity of having the medicines here at once. On two occasions I was authorized to purchase a very small amount of quinine elsewhere.

Q. You say you repeatedly urged the necessities of the case upon the department?—A. I did.

Q. In what way; by letter?—A. Yes, sir.

Q. Were any telegrams sent, urging the necessity of supplying medicines?—A. I think there is a telegram or two on file, in which the matter is brought up.

Q. Was any reply ever made to the regular requisition or the special requisition or to your letters or telegrams?—A. Nothing, except to authorize me to purchase a little quinine, at one time.

Q. How much?—A. I do not recollect the exact amount; I know it was a very much smaller amount than was necessary.

Q. Between your regular estimate and your additional letters and telegrams, the department was fully advised of the necessity of the medicine?—A. Yes, sir; and in addition to this, realizing the necessities and the sufferings of the Indians, I asked for a detail of Army officers to accompany the agency physician to ascertain the number of cases of sickness, the character and extent of the malarial disease, and the kind and quantity of medical supplies that ought to be furnished to an agency of five thousand Indians. The request was complied with, the examination made, and the report forwarded to the department.

Q. Did the Indians of the Dull Knife band complain of lack of medicines and medical attendance?—A. They did not complain so much as some of the others; yet they did, I think, make complaint on one or two occasions.

Q. Did the sickness and the lack of means to cure it have a tendency to increase the discontent that existed among them?—A. To a certain extent; it was not the main cause, but it was undoubtedly one of the causes.

Q. Are the northern Indians familiar with the ague, or is it a new disease to them?—A. They tell me that they do not have it up north.

Q. State whether, if it were a new disease with which they were unacquainted, the effect upon them would or would not be the more discouraging.—A. Undoubtedly it would. They had specifics for a great many of the diseases that were common among them in their own land; but for the ague they had no specific.

By Mr. DAWES:

Q. So far as you are aware, those northern Indians did not know anything about ague when they came here?—A. It appeared not, and they said they did not.

Q. They had no medicine that would cure the ague?—A. So I understand it. I will say here that I have always considered it a bad move to bring Indians from the northern country down here. Take a white man and let him come down here during July and August, and work as he is accustomed to in Kansas, if he is a working man, and he would soon be sick. If you go ahead with that active life to which you have been accustomed in the north—if you do not lie down and take it quiet during the hottest part of the day—you will soon find yourself breaking down in health. The climate here is very enervating.

Q. Did you make any representations to the department last year as to the necessity of an increased medical force—additional physicians?—A. Whether I did last year or not I cannot now say. I know I did immediately upon the arrival of these Northern Cheyennes. I suggested, now that we had got down here the biggest half of the people for whom the appropriation for the Northern Cheyennes and Arapahoes was made, why not have an increase of employés? I thought we needed an extra physician and some other help. The answer I received was that not more than ten thousand dollars could be expended at any one agency, and I could not have it.

Q. Did you repeat that suggestion last year, in sending in your estimates for 1878–'9?—A. I do not recollect that I did, although I may have done so; but I should rather presume that I did not, as their former refusal was taken as rather decisive in the matter.

Q. You stated to the department that one physician was not sufficient?—A. Yes, sir; we secured one when I was in Washington recently. I got Little Chief to make that as a strong point in his talk with the Secretary.

Q. When were you at Washington, with Little Chief?—A. In the latter part of May, 1879; I may have staid into June, I know it was June before I got home.

Q. State what promises, if any, were made by the Commissioner to Little Chief, as a condition of his staying here?—A. He promised fifty dollars each to him and the members of the party with him; there were six of them; also a good suit of clothes. When I got to Wichita I purchased each of them a good small horse. And the Commissioner said that he would allow them ten wagons and harness, and some cattle, and I don't remember exactly what; as the Commissioner was telling it over his clerk was writing it off, and I paid no particular attention. I have never been notified that the cattle and wagons had been purchased. The money I paid them myself, in the Commissioner's office. The clothing was purchased by the Commissioner, and given to them in Washington.

Q. But the wagons and harness and the cattle have never been delivered?—A. No, sir.

Q. Was there not some promise in regard to his children going to school?—A. Yes; he objected to his children going to school; and the Commissioner said that he and his band would not be required to put their children in school, but that he must not interfere with others who wished their children to attend the school; he said that the manual labor done at the school, such as chopping wood, &c., was all right and proper, but that he would relieve the children of Little Chief and his from this band for the present. I believe also that ammunition was promised, to kill their beeves with.

Q. Has Little Chief expressed any impatience about not receiving the wagons and cattle promised him?—A. Not about the wagons or cattle I believe; but he has about the ammunition.

Q. Would not the delivery of wagons and cattle to these Indians, according to promise, have the tendency to make them better satisfied? —A. I think we can distribute the ten wagons among the young men of his band in such a way as to have a good effect, though Little Chief would oppose that himself; but the young men, I am satisfied, would accept the wagons.

By Mr. DAWES:

Q. Does the relief of the children from attending school apply to Little Chief personally, or to his whole band?—A. To his whole band.

Q. How many are there of them?—A. About two hundred persons.

By Mr. PLUMB:

Q. In regard to promises made to Indians; are they as particular about having promises fulfilled as white people are?—A. More so, sir; more so.

Q. I will ask you whether the prompt fulfillment of all pledges made to them by the authorities is not essential to keeping them contented and in good spirits?—A. It is absolutely necessary.

Q. And delay in the fulfillment of promises made is held to be an act of bad faith?—A. Yes, sir; it is commented upon bitterly and widely; made the subject of general discussion in their camp. I would never promise an Indian anything that I was not certain I could comply with. I have sometimes promised things to the Indians, on the strength of promises made me by other people, that I have afterwards found myself unable to carry out.

Q. And that would result in dissatisfaction and discontent?—A. Yes, sir; it would make them very discontented; you never can explain away anything of that sort satisfactorily to an Indian. Take Powderface, and some of the Arapahoes that have been with the whites a good deal, and you can explain things so that they will understand; but to the others you can't; with them it is either a lie or a truth.

Q. How many children are attending this school, when in session?—A. This last year there have been from 140 to 155; the average has been about 145 or 147.

Q. What is the expense to the government of keeping up the school? —A. To the contractor per scholar, he furnishing all the help——

Q. I mean, what is the expense *to the government*, per scholar, for teaching the school?—A. Three dollars and a half per month.

Q. Is that by contract?—A. Yes, sir.

By Mr. DAWES:

Q. For twelve months?—A. No, sir; for ten months; there is a provision for a partial vacation for two months.

By Mr. PLUMB:

Q. Does not the contractor get pay for twelve months?—A. No, sir; only for the time when school is actually taught, and for the children actually in attendance.

Q. Does he furnish the supplies—food, or anything?—A. No, sir; they receive their rations from the government.

Q. The established government ration?—A. Yes, sir; the established rations, which are deducted from the other rations; they have what we call a "school-ration," for every twenty scholars.

Q. It has no relation to the rations furnished the Indians in camp?—A. No, sir.

Q. Is there anything else that is furnished to the scholars by the government; are they furnished with clothing?—A. The contract provides that we shall issue to these scholars—to the contractor—whatever may be their demands—their necessary demands. I cannot give you just the wording of it now, but I can show the contract at any time if you wish to see it; and what we issue to him he issues in turn to the school-children.

Q. There has been no complaint about the contract not being faithfully carried out?—A. No, sir.

By Mr. DAWES:

Q. Do I understand you that the support—the rations—of these scholars costs the government three dollars and a half per month extra per scholar?—A. No, sir; their rations are deducted—are not issued to any camp.

Q. Do you issue the same rations as if they were in camp, and three dollars and a half a month more than if they were in camp?—A. Yes, sir; it costs the government that much more than it would if they were in camp, and not going to school.

Q. So each scholar costs the same as if not in school, and three dollars and a half a month more for teaching?—A. That is it.

By Mr. PLUMB:

Q. The treaty says they shall have one house and teacher for every thirty scholars?—A. Yes, sir.

Q. Instead of that, you have here a hundred and fifty scholars under one roof?—A. Yes, sir; we had a small school-house, with a number of children, up at the other house, where you saw them building; but we thought it would be better and cheaper to have a large school-house than a number of small ones; so we are building that. By the first of September we shall have school-room sufficient to accommodate three hundred and forty scholars.

Q. Who is the contractor in charge of the school?—A. His name is John H. Segar.

Q. What other employment has Mr. Segar?—A. He has been in charge of the chopping of the wood for the military; he has a sub-contract for the furnishing of the wood; he hires Indians to do the chopping.

Q. Does he himself teach?—A. No, sir; he only superintends the teaching.

Q. Does he superintend inside?—A. He cannot remain in the schoolhouse all the time; he has the general supervision of the teaching.

Q. Is he himself a competent person to teach?—A. He is not an educated man, but he is a practical, common-sense man.

Q. He takes things generally by contract that happen to be lying around loose?—A. Yes, sir; where he can work it in to advantage. His contract with the government closed on the first of July; he is not now in the employ of the government, except that he has taken a subcontract for furnishing hay to the post, over here; he has a lot of Indians at work at that now; and he has the contract for carrying the mail from the agency to Fort Elliot; he hires Indians to do that, too.

By Mr. DAWES:

Q. Who has the actual charge of the school?—A. Mr. Brown, as yet; the contract for this year has not been let yet; he is rather expecting the contract for this school.

By Mr. PLUMB:

Q. Do you regard this method of teaching by contract as the best method of conducting a school?—A. I do not see that any great advantage is to be gained by it. There is no question but these contracts have been let in order to avoid this ten-thousand-dollar restriction; we cannot have more than so many employés.

Q. Does the contractor have any privileges in the way of teams, supplies, &c.?—A. He can use the teams, with the children, in hauling wood.

Q. He does not have any use of the agency teams for his own outside work?—A. No, sir.

Q. Neither gratuitously nor otherwise?—A. No, sir.

Q. He employs Indians in putting up wood and hay, you say; do the Indians get employment much from wood-contractors, hay-contractors, &c.?—A. Never, except through Mr. Segar and our own efforts. I would not think of going into a contract to furnish Indians work.

Q. What wages do Indians get?—A. A dollar and a quarter a cord for chopping wood; seventy-five cents a day for working in the hay-field.

Q. Do they make good help?—A. With the proper care. Mr. Segar can get more out of them than anybody else in the country.

Q. Do all of them get employment?—A. Not at all; not nearly all of them.

Q. Do you regard it as desirable for the government to have all the work about a post done by Indians?—A. It just suits me to answer that question. Every bit of the supplies can be transported by Indians, and they can put up all the hay and chop all the wood. The Indians, I know, do object to having white men go into the timber and cut the wood that they (the Indians) think belongs to them; but if they could get the benefit of the work of cutting the wood and the hay they would not object at all.

Q. Would they do such work with the same trustworthiness and certainty that white men would?—A. Just the same. In transporting supplies from Wichita here, so far as we can discover they have never stolen an ounce of sugar, coffee, or anything else; they have been careful to injure or waste nothing, and have delivered everything in good faith.

Q. I mean would they be sure to go and come with the same promptness and regularity, the same sense of responsibility, of a contractor who was under bonds?—A. O, yes, sir; I will add, by way of explanation, that you must have a man for contractor or supervisor in whom the Indians have implicit confidence that he will carry into effect all his promises to them; also who has a capacity for getting work out of people, and who is kindly disposed toward them and will always advise them justly and rightly and for their own best interests. All that work can be done by Indians. One great advantage would be that you would avoid the presence of a large number of worthless white characters about the post who, in nine cases out of ten, turn out to be horse-thieves.

Q. Independent of the restraint which the presence of scholars in the school exerts upon Indians generally, what other benefit grows out of the school?—A. The school is a benefit in a great many ways. In the first place, it teaches the children good habits; they are taught habits of industry, and that is the principal thing that needs to be inculcated into the Indians; they have got to change their entire manner of living and adapt themselves to a new manner of getting a living. They are not poor; they have plenty to eat and plenty of ponies; they say they do not intend to be poor; they are an energetic people. They need only to be instructed properly and guided properly and there is no reason why they should be dependent upon the government.

Q. What branches are they taught in school?—A. Reading, spelling, writing, arithmetic, and some other of the common branches.

Q. Grammar?—A. No, sir.

Q. Geography?—A. Yes, sir.

Q. What length of time is it necessary to keep them in school in order to render them reasonably familiar with these common branches?—A. I should say from five to ten years; of course, it takes a greater length of time than it would white children, from the fact that these Indian children have to learn our language before they can commence on the other studies.

Q. At what age do they begin to go to school?—A. From five to ten years; after they get to be ten years old or over it is harder work to induce them to study, as well as more difficult to inculcate into them habits of industry.

Q. Would it be possible to have them go to school and still retain their affiliations with their families and homes, the same as white children do?—A. I think so. We let them go home once a week; but we do not allow them to remain over night, without the special permission of the superintendent.

By Mr. DAWES:

Q. When they come out from among their tribe and mingle with the white people do these children talk English?—A. They are quite backward about that; with their teacher and about the school they talk English right along, but before strangers they hardly ever say a word in English.

Q. When with their own people do they not lay aside the English language altogether and relapse into Indian?—A. Yes, sir; yet very frequently, in their camps, as a matter of recreation, they will set an evening when they will dress up in citizens' clothes, for a frolic, and make a rule that no one shall speak Indian, but all shall speak English.

Q. Would not the same result be accomplished by taking the children away from the lodges, from the camp Indians, and putting them at industrial pursuits, without education, or with very much less education and more labor?—A. I would blend the two together; we make a special effort to give the children an industrial training.

Q. Upon which do they spend the most time, their studies or their work?—A. We divide the two equally.

Q. Where do they labor?—A. I should have added, at times when labor can be had. In the spring of the year, when we are putting in crops, making fences, &c., we make a detail from the school-room in such a way as to give all about an equal chance. At some seasons of the year we have nothing to do, except in connection with the wood-train, which requires a detail every day.

Q. Do you have shops where they can learn the use of tools?—A. We have a harness-shop and a shoe-shop.

Q. Have you no blacksmith's shop?—A. No, sir.

Q. Nor carpenter's?—A. No, sir; there has been little call for blacksmith's and carpenter's shops; and there has been no provision made for boarding the children and doing their washing while they were learning to become blacksmiths or carpenters.

Q. Why would not the same supplies that are furnished them now suffice to board them while they were learning the carpenter's or blacksmith's trade?—A. They would; but to make it a success, to make them *good* carpenters and blacksmiths, would require more time than we have been in the habit of giving them.

Q. The question is, whether more labor and less learning, of the ordinary kind, would not be more beneficial to them?—A. To that I will answer, yes; I am very sure that the government could not spend three and a half dollars a month to any better advantage than to take a couple of Indian boys, put them on the rolls of the contractor, and give them a day or two each week in the school, and have them spend the balance of their time in the shops.

Q. Then comes up the question whether the government would not have to pay the contractor the full amount for teaching a boy who was at the school only a small portion of the time?—A. Probably that could be arranged in some way; the government in any event would have to pay the expense of their clothing, washing, &c.; and as for teaching, a teacher can teach ten in a class just about as well as nine.

Q. The question with me is, whether it would not be better, more beneficial to these people, and in the long run less expensive to the government, if we were to give them more instruction in manual labor and the mechanical arts that would help them toward being self-supporting; it looks so dilatory, so unpractical for them to spend five or ten years, at the government expense, in learning a few little things of no particular perceptible advantage.—A. I agree with you, sir.

By the CHAIRMAN:

Q. I wish to inquire what supplies did you withhold from those men who refused to labor, as you testified awhile ago?—A. Nothing except what was embraced in the directions sent me by the department upon that subject.

Q. What articles did you withhold?—A. Sugar, coffee, and tobacco.

Q. Had you these supplies on hand at that time?—A. We had a part of the time at least; I could not tell exactly what part of the time without referring to my record of weekly issues; I believe we had sugar and coffee, whether tobacco or not I could not speak positively.

Q. Was not the withholding partly because you had not the articles as well as a penalty for not working?—A. I would not regard it exactly as a "withholding" of them if we did not have them to withhold.

Q. I am speaking now of the fact.—A. There were occasionally times when we did not have those articles.

Q. Was that the case at that time?—A. No, sir; I told them why I withheld them, so I know I must have had one or two of those articles; we had held a council prior to this, at which I had informed them that after a certain time these articles would be withheld from all who refused to labor.

Q. This is my idea, whether on account of the absence or scarcity of these articles you did not cover up the fact that you did not have them by assigning this other reason.—A. No, sir; I withheld the articles because I had been directed by the department to do so, and I told them that it was by direction of the department that I withheld them, because they refused to labor.

Q. And you then had these articles?—A. Yes, sir; one or more of them.

Q. During the previous portion of this investigation two or three matters have been mentioned or intimated that justice to you requires we should bring to your attention. Some of the Indians have intimated that supplies of annuity goods, such as clothing, &c., intended by the government for them, have never reached them; that at the school-building there is hidden or hoarded away a lot of stuff that they are entitled to. How is that?—A. There is a quantity of goods up there of the kind that is used to make into clothing for the school children; those goods were delivered there under the authority of the Commissioner of Indian Affairs.

Q. Let me be sure that I understand you; those goods in the school-building are there by order of the Commissioner of Indian Affairs, in fulfillment of a contract with Mr. Segar, the school-contractor?—A. That is it exactly.

Q. And there is nothing there that, under authority of the department or of the law, you are required to give to the Indians?—A. Not a yard of anything, nothing at all.

Q. Have you year by year distributed to the Indians, in good faith, all articles sent you for that purpose?—A. I have, sir.

Q. Another intimation which they have made is this: That you are interested in a herd of cattle that are kept up here between Pond Creek and the Cimarron, and those cattle they suppose or suspect to be cattle that were sent here for them; in short, that they are their cattle; how is that?—A. In running these transportation trains, I asked authority from the superintendent of Indian Affairs to deposit some cattle there for convenience in traveling back and forth, and he gave me authority to do so. I have no personal interest in that herd, nor in any other herd of cattle in the Indian Territory.

By Mr. PLUMB:

Q. How do you receive the beef cattle from the contractor; how often, and in what numbers? Do you receive just the number necessary to make an issue?—A. As near as we can; of course we must sometimes run a little over, sometimes as high as a hundred head over.

Q. What do you do with those cattle that you have over?—A. We have three herd-boys that take charge of them until the time arrives for us to issue them.

Q. Are they kept with the herd belonging to the school children?—A. They are not near them at all. Suppose a contractor has here a herd of five hundred, and we want for our immediate use only four hundred head, we take them all and herd the extra number until we do want them, and whatever benefit or otherwise accrues after that the agency takes; but our usual plan has been to get just about what we want, as nearly as we can. My object is to get rid of just as much property responsibility as I possibly can; and so it has been my plan to keep the cattle right down to the requirements of each weekly issue.

Q. What would be the maximum number in this agency herd thus made up by overissues of the contractors?—A. It very seldom exceeds one hundred; and this surplus would be allowed to accumulate only in order to provide against freezing over, as occurred last winter. It is from this herd that we take cattle to supply the teamsters with.

Q. You do not issue rations to them for the entire time they are gone? —A. We issue smaller rations, enough to last to Wichita; they buy beef at Wichita to supply them on the way back.

Q. How do they do that? Does the cost of the beef they buy there come out of them, or out of the government?—A. It is charged up in the cost of the wagons, and they work it out. Sending off that twenty-five head of cattle up there has made several parties say, "There, Miles has stolen those cattle!" A man who would stay an Indian agent might as well register himself in the rogues' gallery at once.

By the **CHAIRMAN**:

Q. Another thing, Mr. Miles, was made a subject of complaint; perhaps you would like to make a statement in regard to that. It is laimed that formerly a beef animal was issued to every thirty-five persons, and that in accordance with that the Indians divided themselves up into bunches or groups; but that now a beef is issued to every forty-five persons; and that it makes a great deal of trouble to get the excess of ten to some place else, where they can get their share of the beef. What is there about that?—A. I am very glad to have an opportunity to explain that matter. In the winter season our cattle seldom average over seven hundred and fifty pounds gross; that will supply, as you can easily see by making a simple calculation, a week's rations to just about thirty-five persons.

By Mr. **DAWES**:

Q. Do you mean to say that the supply to the larger number of persons is during the summer, when the average weight of the cattle is greater than in the winter?—A. Yes, sir; that is it.

Q. And the reason why the change is made is this: In the winter the average weight of the cattle is found to be just about enough to supply rations to thirty-five persons, while in the summer their size averages enough to supply forty-five?—A. That is correct.

Q. What is the contract in reference to the weight of the cattle?—A. The contract requires that the cattle shall weigh eight hundred and fifty pounds; the average has been nine hundred pounds and over. We are obliged to give credit for whatever excess there is above the contract weight.

Q. How is it when the cattle do not come up to the contract weight? —A. Then he must take his chances of their being rejected. Seven hundred pounds is the lowest allowable weight; but the average must be eight hundred and fifty pounds; a great many of them weigh twelve hundred pounds. This matter came pretty near making trouble here; Little Chief was determined he would have war on account of it; and if Old Crow had not come, I do not know what would have been the result. Little Chief has two hundred people who are entitled to five head of cattle weekly—a little less than five head; you will see by figuring it up that he gets an advantage of ten pounds on every head.

By Mr. **MORGAN**:

Q. I asked you whether or not, since you had been at this agency, the Government of the United States had furnished full rations for more than nine months in each year. I understood you to answer that it had not. Did I understand you correctly?—A. I think, take it from the time I commenced here to the present time (not last year, but taking the whole time together), I believe you would find the rations to run from three to five months short.

By Mr. PLUMB:

Q. I asked separately in regard to the year 1878; I forgot to ask how it was in 1877—whether during 1877 you had for issue, and did issue, a full beef supply for the entire year, as required by the treaty?

WITNESS. During the calendar year 1877?

Mr. PLUMB. Yes, from January 1st to January 1st.—A. I am rather of the impression that I did, then; because during the winter of 1877 the Indians were out on a hunt about five months.

By Mr. DAWES:

Q. Does not the law require you to issue the same amount of beef rations to the Indians whether they are here or not?—A. Why, we *can't* issue rations to them if they are not here.

Q. But does not the law require that? Does the law require, or not, that the same amount of beef rations shall be delivered to each Indian, whether he is out on a hunt or not?—A. I have never studied the law with a view to answer that question.

Q. In point of fact, in the administration of the law, have you, in issuing rations, deducted that portion of time each year during which the Indians have been off on a hunt?—A. No, sir; I have not.

Q. Have you issued the beef rations, week in and week out, during the whole year, in full, whether the Indians were absent on a hunt or not?—A. I have usually issued two weeks' rations when they were about to start on a hunt, and a week's rations when they returned.

Q. You mean to say that, while you have issued the same in amount, you have issued some in advance before they started, or some in addition when they returned?—A. Yes, sir.

Q. So that in the end the Indian gets the same rations whether he is out on a hunt or not?—A. O, no, sir; when they stay out five months, we deduct all but about three weeks' rations. It works in this way: Suppose the Indians ask permission to go on a hunt; I give them leave to do so; before they start out I give them two weeks' rations; they go out and are gone three months; on coming in I allow them a week's rations; and those three weeks' rations are all they get for three months.

Q. Then the balance of the time they fail to get any rations at all?—A. Yes, sir.

Q. In point of fact, they get only three weeks' rations during three months?—A. Yes, sir.

Q. So that if they are gone for any length of time over three weeks, they lose rations for the excess of time?—A. Yes, sir; and in that way, during the winter and spring of 1877, we made a saving of beef on the regular contract, so that on the first day of July, 1877, we had to receive from the contractor about seventeen hundred head of cattle; in other words, we saved over from the previous year's contract seventeen hundred head of cattle. That ran us on so that I did not call upon the contractor, Mr. Miller, for a single hoof until September; and the result was, his contract carried us nearly through; we were bridged over by the saving of the previous winter, so that the Miller contract carried us nearly through.

Q. Was their hunt a successful one?—A. They got enough to subsist them; but they lost many horses. As a whole, it was a net loss; they came back really poorer than they went out.

By Mr. PLUMB:

Q. Take the calendar year 1878; during that year, commencing January 1st, 1878, and ending January 1st, 1879, did you issue rations to the full amount, to every Indian?—A. Of *beef*, I did; whatever shortage there was, occurred in the flour, coffee, &c.

L. A. E. HODGE.

CHEYENNE AND ARAPAHOE AGENCY,
August 20, 1879.

Dr. L. A. E. HODGE was sworn and examined:

By Mr. DAWES:

Question. Are you the physician in attendance at this agency?—Answer. Yes, sir.

Q. How long have you been here in that capacity?—A. Three years.

Q. During that time have you had any assistance?—A. Not until within the past two months.

Q. For the past two months you have had some one to help you?—A. Yes, sir.

Q. How much help have you had?—A. One assistant physician.

Q. With that exception you have done all that has been done in your profession here?—A. Yes, sir.

Q. During that time, have you had furnished you, by the government, all the supplies of medicine you need?—A. I have not.

Q. During what portion of the three years that you have been here has the lack of medicine been the greatest?—A. During the last year.

Q. You mean 1878?—A. Yes, sir.

Q. Do you mean the calendar year or the fiscal year?—A. The fiscal year.

Q. The fiscal year ending with July 1, 1878?—A. No, sir; the greatest scarcity of medicines was at the time between the end of the fiscal year, June 30, 1878, and the 17th of January following, when we received our drugs, which should have been received on the 1st of July.

Q. Previous to August, 1878, was there any lack of medicines?—A. Yes, sir.

Q. Do you remember the time when the Northern Cheyennes were brought down here?—A. Yes, sir, I remember the time.

Q. Do you remember when a portion of them broke away?—A. Yes, sir.

Q. Between the time they came here and the time they went away was there any lack of medicines?—A. There was.

Q. Much or little?—A. There was a great lack of medicines.

Q. Was there any particular medicine of which there was an especial lack?—A. Yes, sir, there was a special lack of quinine, a preparation of cinchona, much needed in this country.

Q. Is there more demand for this medicine than for any other kind?—A. There was at that time.

Q. What diseases afflict the Indians most?—A. Malarial diseases of different varieties.

Q. Did you make your lack of medicines known to the proper authorities?—A. I did.

Q. To whom?—A. To the agent here.

Q. You had no authority to make it known elsewhere?—A. No, sir.

Q. Do you know whether the agent communicated the fact to the authorities above him?—A. Yes, sir, I know that he did.

Q. Did you urge upon him the necessity of having more medicine here?—A. I did.

Q. You have no reason to believe but you had at your command all the medicine there was here?—A. Yes, sir, all the medicine here was under my charge.

Q. The moment it reaches here is the medicine put into your charge?—A. It is.

Q. Is it sent here in bulk, or as you want it from time to time?—A. It is sent in bulk.

Q. When the Northern Cheyennes came here were they a healthy people?—A. No, sir, I cannot say that they were.

Q. What was the matter with them?—A. In the first place they were worn out by their long journey; many of them had to walk; many of them were suffering under malarial fever when they arrived here.

Q. How far were they located from this agency when they first came here?—A. About two miles.

Q. How long did they remain there?—A. I cannot tell; they were changing the location of their camps all the while.

Q. Did they move their camp from that spot to one farther off before they broke away?—A. They did.

Q. How much farther off did they encamp?—A. They were encamped about fifteen miles from here when they left.

Q. How long before leaving did they go there?—A. Only a very short time.

Q. The most of the time they were within the distance first mentioned?—A. No, sir.

Q. How far were they encamped from here the most of the time?—A. About twelve miles.

Q. How often before their outbreak did you visit their village?—A. I visited them whenever I had anything to give them in the shape of medicines.

Q. How often was that?—A. I should say once a week.

Q. How much of the time after they came here and before the outbreak were you entirely out of the medicines they needed?—A. Well, sir, I was out of it the most of the time.

Q. When not entirely out of it, were you short of it?—A. Yes, sir; I borrowed from the post surgeon all that the military could spare; I also borrowed from the lower agency, but was still short.

Q. Had you need of the same kind of medicines in treating the diseases of the other Indians?—A. I had.

Q. Was there any special difference between the complaints of the Northern Cheyennes and those of the Southern Cheyennes?—A. Malarial diseases were universal; but there were some diseases among the Northern Cheyennes and not among the Southern.

Q. What diseases, for instance?—A. Notably, venereal diseases.

Q. Had they measles among their children, much?—A. No, sir, there were no measles among the Northern Cheyennes; the measles were past before they came.

Q. Were you at any time, when called upon by the Northern Cheyennes for aid, compelled to decline to go, for any reason?—A. No, sir, I never declined to go; but I have left the office because I knew I had no medicine to give them.

Q. You left the office to avoid being called upon?—A. I left there because I knew that I had no medicine to give them, and I could not bear to see them suffering for lack of a few doses of quinine.

Q. Was their suffering considerable? Was the absence of quinine a cause of much or little distress to the Indians?—A. It was the cause of very great distress to them; they were dying from sickness, without its being in our power to alleviate their sufferings.

Q. Can you tell how many of them died during that time?—A. I could refer to my monthly sanitary reports and find out how many died under my treatment; but owing to my limited supply of medicines some died whom I did not attend; so my reports would not be a fair criterion to go by.

Q. Has anybody the means of ascertaining the mortality among them during that time?—A. I think not.

Q. The agency has no knowledge regarding the matter besides the personal knowledge of the physician?—A. I think not.

Q. You think that some deaths occurred that did not come under your observation?—A. Yes, sir; just how many I cannot say.

Q. Did the Northern Cheyennes come here subject to any other diseases than the ones you have mentioned?—A. No, sir; not to any considerable extent.

Q. Were they a hardy race, as compared with the other Indians that were here?—A. I think they were more hardy—if they had been in a country to which they were acclimated.

Q. Do the Indians at this agency suffer from pulmonary diseases?—A. They do, considerably.

Q. How was it with the Northern Cheyennes?—A. I do not know of any serious cases of pulmonary disease among them.

Q. When was this deficiency in your supply of medicines done away with?—A. On the 17th of January I received the supply which I should have received on the first of the preceding July.

Q. From that time until now you have had a sufficiency of medicines?—A. A sufficiency of certain kinds; there are certain remedies which we have a run on, occasionally, that have become exhausted.

Q. If you had had the proper medicines, during the time of which we have been speaking, had you the ability yourself to take care of five thousand Indians, situated as these are?—A. Of course it was entirely too much work for one man to have the medical care of five thousand people. When I have remedies I am constantly busy; it is not an uncommon thing for me to dispense medicine to a hundred cases a day in my office.

Q. And you have to visit the villages besides?—A. Yes, sir.

Q. What circuit does this require of you to travel?—A. Well, of right, I am liable to be called from fifteen miles below here, at the cattle-trail, to a point fifty miles above, on this river; but of course I do not count upon making regularly any such round as that.

Q. Will a circuit of twenty-five miles cover it?—A. Yes, sir.

Q. Besides this you dispense medicines at your office?—A. Yes, sir.

Q. Taking the number of Indians that are here and their location and their condition into account, what is a fair supply of medical force here?—A. If we had a hospital steward and dispensing clerk, two men could do the work.

Q. Two regular physicians, with one man at home acting as medical clerk, you think, would be sufficient?—A. Yes, sir.

Q. In your opinion, could this agency be properly supplied with less force than that?—A. No, sir.

Q. Is the medical force paid a salary?—A. Yes, sir; the physician now has twelve hundred dollars a year, and the assistant nine hundred a year.

Q. Are you permitted to do any other business?—A. Yes, sir.

Q. What?—A. Anything I can do outside.

Q. You have a right to attend people who do not belong to the agency, if called upon?—A. Yes, sir.

Q. Have you any income from that source?—A. No, sir; the military post is right close here, and there are two surgeons over there.

Q. Do you mingle enough with the Northern Cheyennes to give us any idea of their feelings in regard to remaining here?—A. I think they are, as a general thing, perfectly satisfied, and have no desire to go away.

Q. Do you mean to include the band under Little Chief?—A. Yes, sir.

Q. Do you think that Little Chief himself is satisfied?—A. Yes, sir; I think he is now perfectly reconciled to staying here; he has so expressed himself to me, only a few days ago, when I was in their camp.

Q. Do you know, of your own knowledge, that the agent here, at your suggestion or otherwise, brought repeatedly to the knowledge of the authorities at Washington your need of medical supplies?—A. I do.

Q. And also of the fact that there was more work to be done here than one man could do?—A. I represented the case to the agent, and he expressed himself in favor of my having assistance.

Q. His opinion agreed with yours?—A. Yes, sir.

Q. But whether he made representation to the department that more force should be sent here you have no personal knowledge?—A. No further than that he told me he had done so.

Q. When you were out of medicines to supply these Northern Cheyennes who were sick, were they aware of that fact?—A. Yes, sir; I told them so.

Q. What effect did it have upon them; did it have a tendency to create discontent among them?—A. I think it did; I know they complained to me about it.

Q. Did they complain that they had more sickness here than they had up north?—A. Yes, sir.

Q. What did they say about it?—A. They said there was more sickness among them than ever before. They had come from a non-malarial district into a malarial district; and the result was that, being unacclimated, there was probably, according to their number, more sickness among them than among our own people.

Q. Did they appear to have any acquaintance with these diseases to which they are more liable here?—A. No, sir.

Q. It was a new thing to them?—A. Yes, sir; it was a new thing to them.

Q. Does that include fever and ague?—A. Yes, sir; that was the most common form of malarial disease from which they suffered.

Q. Did they seem to have any knowledge of fever and ague?—A. No, sir.

Q. For diseases that they are acquainted with they have specifics of their own that they sometimes use, have they not?—A. I do not think they have any specifics whatever for any disease.

Q. They know more about how to take care of themselves when afflicted with some diseases than with others, do they not?—A. Yes, sir, undoubtedly.

Q. Did the fever and ague get among them after they came down here?—A. Yes, sir.

Q. Would that, or would it not, have a tendency to break down their spirits, and make them feel discouraged?—A. Yes, sir; certainly it would.

Q. Was it children, or old people, that had the fever and ague?—A. A greater number of children suffered with it than of adults, I think.

Q. Did they say anything about desiring to go away from here, in connection with this sickness?—A. They never did to me.

Q. Do you think the fact of an unusual amount of sickness, coupled with the fact that they knew there was a lack of medicines here, increased their discontent?—A. It may have had something to do with it.

Q. Did you ever have occasion to visit Wild Hog's lodge professionally?—A. I did.

Q. Was his family sick a great deal?—A. I cannot remember; I know that a number were sick in his lodge, but whether any of his children were sick or not I am not able to answer.

Q. Were any in Dull Knife's lodge sick a great deal?—A. A few were sick there; I remember that he asked me for medicine to take with him, about forty-eight hours before he left.

Q. Did he communicate to you the fact that he was going off?—A. No, sir; he said they were going to move their camp, and wanted to take medicine with them, so as not to have to come so far for it.

Q. You were satisfied afterward that he wanted it to take with him?—A. Yes, sir; he said that it was a good ways to the agency from the place that he was going to move his camp to, and he wanted enough medicine so that he could doctor the members of his own family and band.

By Mr. MORGAN:

Q. Have these Indian doctors any real skill in treating diseases?—A. None whatever; except a very primitive knowledge of setting broken bones.

Q. Would the Indians take your remedies freely through your advice?—A. Yes, sir; the only trouble has been that we have not had enough to give them.

J. A. COVINGTON.

CHEYENNE AND ARAPAHOE AGENCY,
Indian Territory, August 20, 1879.

J. A. COVINGTON sworn and examined.

By Mr. DAWES:

Question. Mr. Covington, what is your occupation?—Answer. I am head farmer for the Cheyenne and Arapahoe Indians.

Q. How long have you held that position?—A. Since the 1st of April, 1877.

Q. What are your duties?—A. They pertain to the agricultural department of the Indians; in fact, I have the oversight of everything pertaining to them away from the agency.

Q. Please state more particularly what you do.—A. I superintend the breaking of land, the making of fences, the putting in of crops, and the caring for crops as they are raised; and I attend to any other work that comes under the general head of farming during the season for such work.

Q. Has there been any change in your employment, or have you been at the same employment all the time?—A. I was formerly chief clerk.

Q. I mean since you have been head farmer?—A. Since I have been head farmer my duties have been pretty much the same.

Q. Under what circumstances do you attend to the breaking up of land?—A. Usually in the spring of the year.

Q. I do not mean the time of year, but under what circumstances; do you go out of your own notion, and break up land anywhere it happens?—A. No; I do not break up the land myself, generally. I superintend the arranging of plows.

Q. For whom?—A. For the Indians.

Q. But how come you to do it? Does somebody ask you to?—A. I have done so by instruction, under Agent Miles.

Q. When are you set at work? Do you go when you have a mind to, and tell any Indian you happen to meet to go to breaking up land? If not, what do you do? Go on and give the whole process by which you go to work.—A. Well, in the first place, the Indian makes his wants known at the office, or somewhere about the agency, and reports that he wants to make a location, and has selected a site for a farm. It is then my duty to get onto my horse and go with him to visit the land which he has selected. I am under instructions from the agent as to what shall be considered a proper location for a farm; the three great requisites, he instructs me, are good land, good water, and good timber. If these are all present, I assist the Indian in making the location.

Q. Where he pleases?—A. Yes; if there is nothing to prevent it.

Q. How much land do they generally select?—A. From three to ten acres; sometimes as high as from forty to fifty acres, but usually not more than from three to ten.

Q. Then what?—A. The next thing in order is to get a plow, and get it rigged up, and get the land broke.

Q. Do you buy him a plow?—A. No, I give him a plow—furnish it to him from the supply sent out by the government—and take his receipt for it. Then I rig it up, and assist him to run it. I help him work it until he understands how to work it himself. I have usually more difficulty in getting the team to work than in teaching the Indian.

Q. How much do you do, how much time do you spend with him before you let him go along by himself?—A. From half a day to a day and a half, according to the adaptability of the young man. Some of them are right green; and some of them have poor teams. Some learn to plow easily, others not so easily.

Q. After spending a day, or a day and a half, with an Indian at the plow, have you anything more to do with him?—A. Not until after he gets the ground broken up.

Q. Then what? Go on with a statement of all that you do until you cease your connection with him.—A. We have a harrow here; we locate a harrow in a little neighborhood where there are four or five farms; we make each of them borrow the harrow and smooth the ground so as to be in a fit condition for seed to be planted; I show them how to use the harrow. Then I show them how to cross-plow so as to make a trench for the seed. I generally lay off two or three lands for the plow; after that they are generally able to do the balance themselves. The first season with a new hand I rarely lay out more than one way; after the first season, I show them how to lay out both ways—one way and across it—and plant the corn in the cross rows. After assisting them in planting half a dozen or a dozen rows, they get so that they can do it themselves. My object, of course, is not to do the work for them, but to teach them to do the work. After the land is plowed and laid out, and corn planted, a fence must be built. The fence we build here is of two rails and posts; we call it a post-and-rail fence. When close to good timber that will split easily we sometimes make a stake-and-rider fence; but usually we put up a fence composed of posts and two rails.

Q. Have you ever used barbed wire fence?—A. We have used wire fence, barbed; stringing the wires separately, and putting on the barbs afterward. Our experience is that any animal that will go through a wire fence without barbs, will go through one with barbs. We have not used much of this kind of fence.

Q. Well, you follow the Indian right along, do you?—A. Yes, sir; in the case of the fence, we put up three or four panels, to show him the proper way to do it, and then he can do it himself. Indians are in many respects just like overgrown children; they have to be directed in every department; they have no capacity for thinking, as white men have been taught to do; but they are very quick to observe and imitate; they can imitate almost anything after seeing a white man do it. I show him what kind of poles to get in the woods, and assist him to get a wagon to haul them up, and then let him do his own work. In passing by occasionally I can see how he succeeds. A great many are not able to get timber, or are too far away from timber to afford to build even a two-rail fence; in that case we use only one rail—a pole in the center, with brush above and below. I believe that about finishes up the farming work—plowing, and planting, and fencing. They are able to work their own way pretty generally after that.

Q. Do you have anything to do with helping them care for and gather in their crop?—A. Last season was the first that we did anything of that sort; in a number of instances I directed that the corn should be taken and put in one spot, and shelled off and sacked, and hauled to the agency, and put in the commissary, where they could dry and sack it as they saw fit.

By the CHAIRMAN:

Q. How is corn usually worked here; by hoes, or by single and double shovel plows?—A. By shovel plows; it is easier for an Indian to learn how to use a shovel plow than a mold-board plow.

By Mr. DAWES:

Q. The next year does he start in for himself?—A. I generally have to rig the plow, and lay off a land or two for him.

Q. How many of that sort of farmers have you set on their feet since you have been the head farmer here?—A. There are eighteen farms of the kind I have described on the Canadian River, and fifty-one on this stream; I have assisted in them all.

Q. About how many acres in all?—A. There are about 691 or 692 acres under actual cultivation.

Q. Who are the Indians that are doing this; the young men of the tribes or the old men?—A. Usually the young men; the old men assist in caring for the crops.

Q. Is this work going on in all three of the nations, Southern Cheyennes, Northern Cheyennes, and Arapahoes?—A. Yes, sir.

Q. Which of them are doing the most?—A. There are more farmers among the Arapahoes than among the Southern Cheyennes and Northern Cheyennes both together.

Q. When was this work commenced?—A. In 1872.

Q. Since then has it been on the increase or otherwise?—A. Constantly on the increase; when we came here there was not a stick of timber cut.

Q. Are there more farmers this year than last?—A. Yes, sir; and twice as many last year as the year before.

Q. How many new farms have you opened up this year?—A. Seventeen; besides some that Mr. Segar has between here and Fort Elliot that I do not consider in this count.

Q. How much of a crop do they gather?—A. They eat so much of it that it is a very difficult thing to make a correct estimate as to that.

Q. Do they eat it before they gather it?—A. Yes; they take it in the green state, boil it while it is yet a roasting ear, and cut it off the cob and dry it.

Q. They prefer that way of curing it for their own use?—A. Yes, sir.

Q. Does it constitute an appreciable element in the support of an Indian?—A. Yes, sir; very largely.

Q. Are the Indians who carry on these farms well behaved and peaceable?—A. They are usually the best behaved men on the reservation.

Q. Are they industrious and hard-working?—A. Yes, sir.

Q. Does an Indian easily learn to work?—A. Yes, sir; but it is harder for an Indian to work than for a white man; his hands and his body are not used to work.

Q. Do any of the Indians try to discourage the young men from working?—A. Yes; some of the old men do; but more of the women than of the old men; the women consider it unmanly to work—that the women ought to do the work; they were born and raised with that idea.

Q. They consider it effeminate to work?—A. Yes, sir; particularly in young men.

Q. You consider, then, that the women of the lodges, as a general thing, are opposed to the men going to work?—A. Yes, sir; there are some notable exceptions among them, but this is the general rule.

Q. Is there any other kind of agricultural employment, besides raising corn, in which you could get these men enlisted?—A. They might raise melons and all kinds of garden vegetables.

Q. Would you have to show them how?—A. Yes, sir, just the same; it would not be so very difficult to show them how to plant what you might call a white man's garden as to make them understand the uses of the different kinds of vegetables after they were grown; we would have to teach them how to cook vegetables as well as how to raise them.

Q. Are Indians fond of melons?—A. Very.

Q. Do they raise beans?—A. Yes, sir; more than any other vegetable.

Q. Do they raise them till they are ripe?—A. No, sir; they use those green.

Q. Do they make succotash of them?—A. Sometimes; but they usually boil the pods.

Q. Do they to any extent ripen them and keep them for winter use?—A. Yes, sir; but those that they save they usually intend for seed.

Q. Is this soil good for the bean?—A. Very good.

Q. Is there any other kind of vegetable that the Indians are inclined to raise?—A. Yes, sir; there is no kind of vegetable adapted to this latitude but would grow here in abundance if properly cared for.

Q. Can the Indians be induced to raise pease, beets, cabbages, &c.?—A. Yes, sir; hundreds of bushels of all those things were grown on this reservation last year.

Q. Will the Indians keep the seed of the various articles they raise, or will they come to you the next year and ask you for seed?—A. Beans they will save; and sweet-corn, and maybe radish; but not cabbage, for they don't know how to save that; and to raise and save onion seed is still more difficult.

Q. Have you any ideas about their being able to take care of cattle, and become herdsmen?—A. They take splendid care of their ponies; and cattle certainly will thrive and do well with half the care they bestow upon their ponies.

Q. But they never kill and eat their ponies unless in great distress for food; and might they not kill and eat their cattle?—A. Yes, sir; they might; that is the only great drawback we would have to contend against.

Q. Have you had any success heretofore in inducing them to become cattle-raisers?—A. There are twenty or more Arapahoes who have herds or bands of cattle ranging from seven to sixty head; the herdsman who has just been married here has sixty.

Q. How old is he?—A. In the neighborhood of twenty.

Q. How did he get his herd?—A. By devoting his wages to the purchase of cattle.

Q. All of his own notion?—A. Entirely.

Q. Is he capable of managing them himself?—A. Yes, sir; so far as caring for them is concerned; in case of the sale of cattle he would probably have to depend upon the agent.

Q. Has the government done anything to set up men in the business of cattle-raising?—A. When we first got our wagons, eight head of cattle were issued with each wagon as an inducement to take care of the wagon, and use it properly.

Q. Issued to whom?—A. To the parties to whom the wagons were issued.

Q. What has become of those cattle?—A. The Cheyennes have eaten theirs up, I am sorry to say; but White Shield and Little Chief have cattle with the Arapahoes.

Q. What have the Arapahoes done with theirs?—A. They have kept them, almost without exception.

Q. What success have they had with them?—A. Good success, so far.

Q. How long ago were those cattle issued to them?—A. Three years ago. I do not mean to say that they have not eaten *any* of their cattle; they know enough to eat a three year-old-steer when he gets big and fat; but they hardly ever eat a heifer.

Q. Why not?—A. Because of the milk.

Q. Are they fond of milk?—A. They are very fond of milk.

Q. Do they do any such thing as to make butter or cheese?—A. The great trouble we have to contend with in trying to make butter and cheese is the lack of a proper place to keep the milk; the hot weather renders it very difficult to keep milk around an Indian camp. I have been in hopes for five years past of getting some houses built, and then we could make some arrangements regarding milk.

Q. What would be your opinion in regard to taking the twenty thousand dollar beneficiary fund, or a portion of it, and purchasing a few cows for each Indian who would undertake to keep them, and raise a herd from them? Could you watch them, and take care of them, and teach the Indians to take care of them?—A. Among the Arapahoes, I am very certain, a project of that kind would be successful; whether the Cheyennes are far enough advanced to see the advantage to be derived from keeping the cattle, and refrain from eating them, seems to me a little doubtful.

Q. Is this effort to introduce agricultural implements proving successful? Is the use of them by some of the Indians inducing others to take hold?—A. Yes, sir.

Q. Or do you have to persuade them into it?—A. It is contagious; they see others plowing and planting, and afterward getting the benefit of the crop, and it makes them ambitious to do the same thing.

Q. Those who have gone at work, have they done so from persuasion of yours or from their own notion?—A. Partly from both; the first two or three years we used every honest effort to persuade them; and occasionally since then, when occasion seemed to warrant. To try to set Indians at work who were dissatisfied with the country and determined to leave it, would be considerably like casting pearls before swine; for when a man's heart is not in his work, he better not attempt it.

Q. Do you think there is any considerable portion of these three tribes, that could be induced to work?—A. I think that by far the greater portion of them all could be in the course of time.

Q. What kind of agricultural employment, in your opinion, would be most attractive to the Indians; in what would they be most likely to succeed?—A. My opinion is that they would succeed as herders; I think they would take to herding cattle naturally, as one might say; at least, more easily and quickly than to anything else. The first thing a boy does—and he continues it until he is a young man—is to herd his father's ponies. And it is easier to herd cattle than it is to herd ponies; it is less work and easier work than ordinary farming; less strength is required; it don't wear a man's body out, and especially his hands out. Indians have shown me their hands before now, after a hard day's plowing; there were blisters on every finger and the blood running; very few white men would work until their hands were in such a condition.

Q. After experience at the work, would not their hands get over that?—A. O, yes; I presume so; the same as a white man's.

By Mr. PLUMB:

Q. Do you think it is as hard work to raise cattle as to do other ordinary farming work?—A. I do not think it is any harder.

Q. Is it as hard?—A. Perhaps it is as hard.

By Mr. DAWES:

Q. Wherein lies the difference?—A. Cattle-raising requires constant attention, without the hard physical effort all the time that farming does.

By Mr. PLUMB:

Q. Is not the return from cattle-raising a great deal more certain than from ordinary farming?—A. Yes, sir; agriculture, so far as the raising of corn and other farming products is concerned, is pretty precarious in this climate.

Q. What would be the principal hinderance to the Indians engaging in cattle-raising?—A. The constant care and attention it would require more than an Indian ordinarily gives to anything.

Q. How many men does it take to herd a thousand cattle?—A. Four or five energetic men could do it.

Q. A thousand head of cattle would be worth fifteen thousand dollars?—A. Yes, sir.

Q. Do you know of any other work where four men could carry on and take care of fifteen thousand dollars' worth of it?—A. I do not think I do.

Q. There would be no hay to cut nor shelter to provide, would there?—A. No, sir.

By the **Chairman**:

Q. Have you ever tried the raising of wheat or rye in this country?—A. No, sir.

Q. Or oats?—A. We know we can raise good oats here.

Q. How comes it that you have never tried to raise wheat?—A. Because we have no mills here suitable for grinding.

Q. Do you know anything about the kind of grass called alfalfa?—A. I was acquainted with it in California; I never have seen it in this country.

By Mr. **Dawes**:

Q. Do you know anything about the outbreak of the Northern Cheyennes?—A. I was in their camps every few days, the same as the others.

Q. Had you anything to do with setting any of them at work?—A. Quite a number.

Q. Before the outbreak, had any of them gone into any kind of employment?—A. A number of Northern Cheyennes had, but none of that particular band that went away; none of Dull Knife's band, nor Wild Hog's, nor Little Crow's.

Q. Did you ever hear them say how they came to locate in this country?—A. No, sir; but I heard them many times state their intention to return to the north.

Q. How long before they did actually return to the north?—A. Perhaps six months, more or less.

Q. What did they say about it?—A. They expressed their general dissatisfaction with the country, and their desire to return north.

Q. Did they say they were going, whether or no?—A. They didn't say whether or no.

Q. Did they say they were going that season?—A. They didn't specify when.

Q. Did you, or anybody else that you know of, ever tell them that they could not return without leave?—A. I think I told them that two or three dozen times.

Q. What answer did they make to that?—A. They usually laughed, and would pass it off in that way.

Q. Did you gather from anything they said that they intended to do any violence?—A. They did not intimate anything of the kind to me.

Q. Did you discover that any of them had arms?—A. When killing beef they had guns, the same as the other Indians.

Q. Did you ever notice anything of the kind when you were in their camps?—A. No, sir.

Q. Do you know anything of the circumstances that attended their breaking out?—A. I was up in their camp, I believe it was the third day before they left, to invite them to come down and be counted. The Southern Cheyennes had made a report to me that a part of the young men of the Northern Cheyennes had left the reservation. The agent was desirous of having them come in and be counted, to ascertain whether this was a truthful or false report.

Q. What did you learn in regard to the matter?—A. I had some difficulty in learning where they were camped, exactly. I was first told that they were camped up north of the black-jacks, in a certain locality; I went there, and found that they had gone. I met another man, and asked him where they were; he said they were moving camp. I asked him where they were moving to, and he pointed his finger up north—not making any other reply. I went north through two or three miles of timber, and came out on the prairie beyond the timber; and off down in the large valley there I saw the whole community all packed up; they were returning back to the timber; they had evidently been out there, and turned round and came back. I supposed at the time that this movement was occasioned by their failure to find water. I immediately rode out there where they were, and found Dull Knife, and asked him what they were doing out there on the prairie; he said the women were frightened and afraid to put up their camp. I asked him what they were frightened about. He said on account of the soldiers. I told him they need not be afraid of them, for they had not come to fight. He repeated that the women and children were afraid to go into camp. I waited half an hour for all the camp to come up; among them came Wild Hog, Old Crow, and all the principal men of the village. We talked for an hour over the situation. I saw then that they were all well armed; I never before had seen so many arms among them. I asked them what they were going to do; they said they did not know. I asked them if they would be willing to go with me to a camp I would select; they said they would. I asked them to fall into line, and I took them across the timbered ridge, and located them down on the river bottom next to the sand hills. I told them that there they would have plenty of good water and good grass for their ponies; it was a very dry time, and water was very scarce; they promised me faithfully that the next morning they would bring their young men into the agency to be counted. I returned to the agency, and made a report of the interview; after that I heard nothing more about the matter; that was Friday; on Saturday I watched all day at the agency; in the evening Old Crow came in; none of the rest of them came in to be counted according to promise.

Sunday morning the agent asked me to go with the doctor to where the Northern Cheyennes were camped to see some of the sick and ask them what was the matter that they did not come in and be counted; he wanted to count them before Monday, so that he could issue them beef. I went up there with the doctor; while he went through the camp, looking at the sick and prescribing and issuing medicines, I held a little council with Wild Hog and Dull Knife and Old Crow, and all the principal men of the village; they on the ground, I in the buggy; we talked for a considerable time. I asked them if they were going down to the agency to be counted; they would not make me any direct answer; at least, I inferred from their sullenness in regard to the matter that they did not intend to go down. I explained to them the dire consequences of going away. I told them that the troops were there now only to watch them, not to harm them; but that if they took the women and children and went north, the troops would stop them. But they gave me no satisfaction in regard to the matter at all. When the doctor had finished his medical rounds, he got into the buggy and we returned to the agency. I at once made a report to the agent of all I had seen and heard.

That night, or rather about one or two o'clock the next morning, somebody knocked at my door, and wanted my brother-in-law to go to Fort Reno and notify Colonel Mizner that the Indians had gone north.

Q. You were not a member of the party that pursued them?—A. No, sir.

Q. You know nothing of what was done after the Indians left the reservation?—A. Only by hearsay.

Q. Did the party that pursued them bring any of them back?—A. Not that I heard of.

Q. How many days was the party in pursuit of the Indians before its return?—A. They were gone about three months, I believe.

Q. Did these Indians, when they talked with you about going off, give you any reason for wishing to leave?—A. The principal reason they gave me was that they were all dying off; if they stayed there, they said, they would all die. They complained, too, of insufficient rations; they were all the time complaining about the rations being insufficient.

Q. Did they give any other reason?—A. No other that I remember.

Q. Did they ever say anything about the terms on which they came down?—A. They said they never came to this country to be located here permanently, only to look at the country, and to stay if they liked it.

Q. Did they say they brought all their women and children for the sake of having them look at the country?—A. They did not say anything about that; they merely said they came down with that view.

Q. Did they say there was any condition upon which they came south?—A. I do not remember that they recounted any conditions; only when we were talking with them about putting their children into the school they said they were going back north, and when they got back they would put their children in school there.

By Mr. PLUMB:

Q. Did you make any report to the officer commanding the battalion, near the Indians, of the condition of things you had observed in their camp?—A. I did not.

Q. Did you report it to Captain Rendlebrock?—A. No, sir.

Q. Or to Colonel Mizner?—A. No, sir.

Q. Did you not report that you found the Indians peaceful, and in no danger of going away?—A. I did, to Agent Miles, in presence of Major Mizner.

Q. That was your belief, was it?—A. Yes, sir; it was my impression at that time that they were not going away, but that they were just bull-headed enough to think that we wanted them to remove their lodges down here east of the agency; and that they were suspicious of some trick to strike them on their way down if they came down; that if they left their women and children in the camp, and took their young men to the office to be counted, the troops would strike the women. That was the impression I had at the time, and that was the impression I gave in my report to Agent Miles.

Q. You had been in their camp and backward and forward for several days?—A. Yes, sir.

Q. You were pretty well acquainted with the Indians?—A. Yes, sir.

Q. You had access to them as much as the military authorities had?—A. Probably more.

Q. Consequently your opinion, when based upon sufficient facts, was as likely to be confirmed as theirs?—A. I think so. I believe I reported after my trip to the Northern Cheyenne camp on Friday after the council with Wild Hog and Dull Knife, and Old Crow, and their party, that I thought the presence of the troops was disaffecting the Indians, who were very uneasy and suspicious.

Q. They thought that the troops were camped too close to them?—A. Yes; they evidently had a suspicion of the troops; I did everything in my power to place the presence of the troops in as charitable a light as I could.

Q. I understood you to say, a few minutes ago, that the troops were there for the purpose of preventing the Indians from going away?—A. That was afterward, on the Sunday following; on Friday I made no such statement as that.

By the CHAIRMAN:

Q. Do you keep the books for the agent?—A. I do some times, when the clerk is away.

Q. Do the books show what amount of each article of supply has been issued?—A. The reports show that.

Q. Are not the reports taken from the books?—A. The reports are taken from the weekly issues.

Q. The reports you make to the Interior department?—A. Yes, sir.

Q. Are they on file in the department?—A. Yes, sir.

By Mr. DAWES:

Q. How often do you make your reports to the Interior Department?—A. Weekly.

Q. After every weekly issue you make a report of it?—A. Yes, sir; we report the amount received during the week, the amount issued, and the amount remaining on hand.

By the CHAIRMAN:

Q. The Interior Department has the requisitions made by the agent for supplies?—A. Yes, sir.

Q. The Interior Department has, of course, a detailed statement of what supplies are forwarded?—A. Yes, sir.

Q. You are sometimes out of some article composing the rations, are you not?—A. Yes, sir, sometimes; but not so frequently now as we used to be; several years ago it was a very frequent occurence.

Q. I will ask you, in case that coffee or sugar is lacking, whether you increase the amount of the beef or pork supply?—A. That is the general rule; almost invariably we issue beef in lieu of coffee, or sugar, or flour, or anything else that is out.

Q. What is your judgment upon this question; is the ration as fixed by law sufficient for the Indians? Take him as he is, not as he ought to be, with the training he has had, and the mode of living to which he has been accustomed, is the ration that is allowed him by law sufficient for him?—A. I should say not; certainly not.

Q. In what is the deficiency? In what ought the increase to be?—A. I should say the coffee, and sugar, and beef, and flour ought to be increased.

Q. If all of them could not be increased, which of them ought to be?—A. I should say, increase the beef.

Q. What would be the effect to furnish a larger supply of bacon, instead of beef?—A. It would do very well; still, the beef would go further with the Indians than the bacon.

Q. Will they not eat more beef in proportion than they will bacon? A. They will eat more, but it will not cost so much; the amount of money that will furnish one pound of bacon will furnish three or four pounds of beef.

Q. Is it their habit, when they get their rations of beef issued on Monday, to go right to work and eat it up, without reference to the length of time it ought to last?—A. They invariably eat it up as soon as they can. They sometimes tell me they eat it up to prevent it from spoiling.

Q. How many days does it generally last them, the way they use it?—A. Three or four days.

Q. And the rest of the week they are without meat?—A. They are without beef; they sometimes buy a little bacon from the settlers when we cannot issue it to them; they trade their hide money for it. When their beef and bacon is gone, they live on bread and coffee.

Q. So the first part of the week they have a feast and the latter part of the week a famine?—A. That is about the way of it. I found the same difficulty in transporting freight between here and Wichita. In issuing rations to the different wagons, I would say, "Now, eat some bread, and bacon, and so on, and save a part of your beef till you get to Wichita"; but it was of no use; about the end of the third day the beef would be all gone and the flour all left. All the rest of the time they had to live on bread and coffee straight.

Q. You could not get them to live on bread during the first part of the week?—A. No, sir; they insist upon eating their beef first and then their bread; you can't get them to mix things. It was always just so with them when on a buffalo hunt; they never wanted anything but buffalo; they never would ask for sugar, or butter, or anything of that kind.

Q. These children that you are bringing up in school, are they going the same road, or do they mix things better?—A. They are brought up and compelled to eat just the same as we do; they eat bread and butter and all the appurtenances.

Q. Do they appear satisfied with that mode of living?—A. Very well, so far as my knowledge extends.

J. F. WILLIAMS.

CHEYENNE AND ARAPAHOE AGENCY,
Indian Territory, August 20, 1879.

J. F. WILLIAMS sworn and examined.

By the CHAIRMAN:

Question. What is your connection with the agency here?—Answer. I am agency blacksmith.

Q. Have you had any means of determining whether young Indians can learn your trade?—A. Yes, sir; to some extent.

Q. What is your conclusion?—A. I think they can learn my trade. A number of them have shown quite a mechanical genius.

Q. Have any of them shown a disposition to learn your trade?—A. Yes, sir.

Q. Is there any arrangement by which you can take into your shop one or more of these young Indians?—A. There has never been any arrangement of that sort made; there would be no way of doing it, as matters are now, without taking them right into my family.

Q. At what age should you have them in your charge for that purpose?—A. From sixteen to eighteen.

Q. The difficulty has been, if you took them into the shop you would have to take them into the family to live with you?—A. Yes, sir.

By Mr. PLUMB:

Q. Why could they not board in the school, the same as they do now?—A. They have talked about making that arrangement.

Q. There is no physical impossibility in doing it?—A. I suppose not.

By the CHAIRMAN:

Q. What other mechanical branches are carried on at this agency besides blacksmithing?—A. There is a carpenter and a wheelwright.

Q. Do you not think that, if the necessary arrangements could be made, persons could be found among the Indians here who would learn those trades?—A. Yes, sir; I have no doubt there might.

Q. Would you think it a desirable thing for the Indians to have these trades taught?—A. Yes, sir; they come into my shop and work, doing odd jobs for themselves, very frequently; some of them are in there at work in that way almost every day, I think.

By Mr. DAWES:

Q. Do any of them ever express a desire to learn the trade?—A. Yes, sir; a great many of them have said to me that they would be very glad to understand blacksmithing.

By the CHAIRMAN:

Q. Do the Indians shoe their ponies at all?—A. O, yes, sir.

Q. Do you shoe them?—A. I fit their shoes for them; they drive them on.

Q. They put the shoes on to their ponies?—A. Yes, sir; I fit the shoes, and give them nails.

Q. Can the most of them do that?—A. No, not the *most* of them; but a great many of them can.

By Mr. DAWES:

Q. Do they pare off the hoof?—A. They do not have the tools for paring; but they get my tools.

By the CHAIRMAN:

Q. Do you not have occasions to overhaul their wagons sometimes?—A. Yes, sir; frequently.

Q. Have you noticed whether they keep the axles of their wagons greased?—A. They do, better than they did; at first they did not understand anything about the need for it, and neglected it; but now they take a great deal better care of them.

By Mr. PLUMB:

Q. In shoeing horses, isn't it the proper way to leave the hoof in its natural condition?—A. You want to just level the foot sufficiently to give the shoe a proper rest; it is generally pared too much.

J. K. MIZNER.

FORT RENO, *Ind. T.*, *August* 21, 1879.

Maj. J. K. MIZNER sworn and examined.

By the CHAIRMAN:

Question. State your position at Fort Reno and how long you have occupied that position.—Answer. My position is that of major in the Fourth United States Cavalry, and I have been in command of Fort Reno since April 19, 1876.

Q. Please give, in the shape of a detailed narrative, whatever you may know of the escape of the Northern Cheyenne Indians from the agency near this place in the fall of 1878, and of the causes which led thereto.—A. About the 5th of August, 1877, a band of Northern Cheyennes, under the leadership of Standing Elk and Living Bear, were brought to this agency by Lieutenant Lawton, of the Fourth Cavalry. An enrollment of them showed nine hundred and thirty-seven persons of all ages. They were transferred from the care of the military to that of the agent on the 8th of August.

Some time—within a short time—after their reaching here, a number of these Northern Cheyennes commenced to manifest a dissatisfaction with the country, and in various talks with the agent and others they expressed a wish to return to the north.

The winter following their arrival here they went out with a portion of the Southern Cheyennes on an annual buffalo hunt. Their conduct and feeling, at least the feeling known to exist among a portion of them, gave the agent and myself some anxiety, lest some of them might leave and return north without our being able to prevent it. They might at any time, some of them, leave and go north. So much was that a part of the purpose of these Indians then, that Old Crow lingered after the return of the majority of them, and I saw that it was his intention then to go north. However, they all finally returned to the agency and remained until the early part of the following September.

There was all the while more or less complaint among them. First it was as to the manner of issuing rations; then as to the quantity; sometimes as to the quality. There was a feeling of dissatisfaction, apparently, existing among them, but neither the agent nor myself had any thought that they would leave in the manner in which they finally did.

On the afternoon on the 5th of September, I should think about five o'clock in the afternoon, Mr. Campbell, one of the agent's employés—his clerk, in fact—came to my quarters and reported to me that the Northern Cheyennes had gone. I asked him how many of them; he said he was unable to state. I asked him if he thought a majority of them had gone; he said yes. I asked him why he thought so; he said they had been seeking to draw rations for two weeks at a time, instead of one; they had asked permission to remove to the Cimarron River, at some distance from the agency, and had failed to put their children in school. This, together with my previous knowledge of the feeling among them, led me to believe that the report was well founded. I immediately assembled all the available cavalry force at my command, and in a little over an hour they were on the way, with orders to ascertain the truth of the report and act accordingly. The next morning it was reported to me that the troops had found the Indians still in camp and that they claimed that none of them were absent. I thereupon directed the troops to go into camp as near as possible to the camp of these disaffected Indians and continue to investigate as to the absence of any of them, and to watch their movements closely. The troops were afterward instructed to allow no Indians to leave except to go in the direction of the agency.

The next day—which would be the 7th—the agent, Mr. Miles, had an interview with the Indians, in which he directed that they should be enrolled. He told them that, for that purpose, he wished them to remove to the neighborhood of the agency. About noon of the 7th, I visited the agency, expecting to find the Indians there for enrollment. To my surprise there were none of them at the agent's office; he told me, I think, that Old Crow had been there to explain why they had not come. On another occasion the Indians claimed that there were too many sick among them for them to be able to comply with the agent's orders. I suggested to the agent that he send his medical officer to determine that point. I think it was on the 7th that the doctor visited their camp, and that evening reported that he had found a number of the Indians sick, but not so sick as to prevent them from moving to the point designated, so that they could be enrolled. I believe the agent sent his representative with the doctor to explain to the Indians what would be required of them, and it was presumed that they would move in on the 8th.

The 8th—Monday, at least, and I think that was the 8th—was ration day. The Indians had been notified that they would have no more rations issued to them until they complied with the agent's order. It was found that up to that time, the 8th, the Indians had not moved; nor yet had they moved up to the 9th.

About five o'clock on the afternoon of the 9th I visited the agency; I found the agent interviewing Old Crow and Wild Hog and Little Wolf; I found that the Indians were still giving reasons why they were unable to move down and be enrolled; the agent was insisting, in a kind way, upon compliance with his order; I joined in the conversation, in a kind way, to insist upon compliance without a resort to force. I last saw these three Indians just about sundown, or possibly a little after. That night the Indians started north, leaving their villages standing, and taking with them only their horses and personal effects.

Their departure was reported to me, by a representative or messenger of the agent, about half past three o'clock the next morning; I immediately ordered troops in pursuit, having the usual orders given to troops under such circumstances. The officer in command was particularly instructed, if he could induce the Indians to come back without resort to force, to do so. I wish to draw especial attention to this point—that he was *particularly instructed* to induce the Indians to come back without resorting to force, if he could possibly do so.

By Mr. PLUMB:

Q. I would ask whether you had any report from the camp, at any time before the Indians escaped, by any employé of the agency; and if so, what effect, if any, such report had upon the precautions adopted to prevent the flight of the Indians.—A. The agent, Mr. Miles, sent Mr. Covington, as his representative, with Doctor Hodge* to visit the camp of the Indians. Mr. Covington is known as the agency farmer, and was at one time the agent's clerk. On Mr. Covington's return from visiting the camp, I was in company with Mr. Miles; Mr. Covington reported to Mr. Miles, in my presence; practically, he reported to us jointly; to make my story clear I ought to explain that Doctor Hodge* was sent to ascertain whether any of the Indians were too sick to come in and be enrolled; this was one reason which had been given by their leaders for not coming in; Mr. Covington was sent with the doctor to convey the agent's orders, and to explain what would be required. On the afternoon of the 7th,* after Mr. Covington had returned from his visit to the Indian village, he told us—Agent Miles and myself—that he had visited nearly every lodge in their camp; had talked with a majority of their leading men for some time, seated in a circle; that they were in a very destitute condition; that he did not think they had a day's food in their camp; that he did not believe they intended to fight; that he did not think there was any fight in them. During this interview, a post guide entered with the information, which had come through an Indian, that the Indian women were digging rifle-pits. Mr. Covington, on being questioned as to whether this was so, said he had seen nothing of the kind; he did not think they intended to fight, and did not believe they had any fight in them. The effect of Mr. Covington's report was to incline Agent Miles and myself to the opinion that the Indians would eventually comply with his instructions and move in. I had given such instructions to the officer in command of the forces which I had sent out that I had reason to presume he was in a position to know the movements of the Indians; he was camped right alongside of them, and nothing could occur among them without his knowledge. This officer sent a message by Lieutenant Wilder to me that if he should be obliged to drive these Indians out of the sand-hills, he would like some artillery. I had guns fit for that service, but I did not send them to him. I sent him special instructions not in any way to interfere with the Indians, or do anything to provoke hostilities, but simply to watch them closely, and to let none of them leave except to go in the direction of the agency; and that if any severer measures were found necessary, he would be informed. My whole object was to avoid, in the immediate vicinity of the agency or on the reservation, hostilities that might endanger the peace and safety of the entire reservation; for if a fight were provoked here, I feared that other Indians, through sympathy, or excitement, or various other causes, might join in the fight and make the matter worse. Our sole effort was to make the discontented Indians conscious of their mistake. I still hoped they would come in and be enrolled, without making any trouble. I was hardly willing to believe that the number of Indians supposed to be there would attempt to leave in the presence of such a display of military force.

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* Observe that this witness assigns a different date to this visit from that given by the agent (Mr. Miles), and the agency farmer (Mr. Covington). There are also some other differences as to dates.

By the CHAIRMAN:

Q. Complaint has been made by the Indians who have testified before us that the rations furnished them were insufficient. Please give the committee any information you may have bearing upon the question of the quantity of rations actually issued to the Indians by the agent, and their sufficiency; and also as to the amount of supplies furnished to the agent, and their sufficiency.—A. In attempting to answer that question, I must first allude to the complaints the Indians made to me.

Going back to the spring of 1877—in fact, to the winter previous—and at various times from then until the present, the Indians have visited me at my post, where they have frequently spoken on the subject of their rations, and have made complaint of their insufficiency. Their complaint has sometimes been of the amount of beef furnished them; very loudly of its being insufficient, and sometimes of its being very poor. I think it was Cut Finger (who has been before the committee) who made a very stirring appeal at the agency, exposing his emaciated figure and protruding ribs as evidence to prove how badly he was fed. These complaints made by the Indians as to the amount of subsistence received led me, in view of my responsibility for the proper behavior of the Indians on this reservation, as the commanding officer of the troops next the agency, to make an investigation into the matter. I felt it important that I should know, as nearly as possible, the exact condition of affairs. I commenced, as I see by my letter-book, to collect information upon this subject about two years ago last May. The information I have since gathered has been partly furnished me by correspondence with the agent, over his own signature; partly furnished from time to time by himself and Mr. Campbell, his clerk, always cheerfully, as I explained to them that my object was to secure, by an appeal through the military channels to Washington, a more liberal supply of subsistence. The information gained at that time, in May, 1877, is embraced in a report which I made to the adjutant-general of the Military Department of the Missouri, commanded by General Pop·. This is the document (placing it in the hands of the committee); it is certified to as a true copy. I would like to have the committee examine it, and have it made a part of my testimony. The information furnished therein is based upon information furnished me by Agent Miles, over his signature. (See appendix, Exhibit "E.")

Q. What was the result of that communication?—A. I think simply that the department commander conveyed the substance of it to Washington.

Q. What is the substance of it?—A. A very large deficiency in each and every article necessary for the subsistence of the Indians for twelve months.

Q. In any particular articles move than others?—A. Yes, sir.

Q. In what?—A. More especially in flour, coffee, and sugar.

Q. In beef how was it?—A. There was a less proportionate deficiency, but still a very considerable deficiency, in beef.

Q. The communication itself will show how much the deficiency is in each article?—A. Yes, sir; it will unless there are errors in the computation.

By Mr. DAWES:

Q. Have you made any such computation, by which you can state the deficiency in each of these articles?—A. I must rely upon the figures furnished me.

By the CHAIRMAN:

Q. Accepting them as correct, how much is the deficiency?

The WITNESS. Do you wish a statement in regard to each article?

The CHAIRMAN. Yes, sir.

The WITNESS. Before entering upon that, I would like to call your attention to a remark of the Commissioner of Indian Affairs, in his letter to the Secretary of the Interior, dated November 16, 1878. The Commissioner writes: (See appendix, Exhibit "J.")

> Maj. J. K. Mizner, by his want of familiarity with the subject, is led into a serious error in his published statement, by his assumption that the treaty calls for both beef and bacon, when in fact it only calls for beef *or* bacon.

Now I would call your attention to the language of Agent Miles's letter to me. He says:

> In compliance with your request of the 23d inst, I furnish you the following *authorized Indian ration:* To each 100 rations—beef, 300 pounds gross; flour, 50 pounds; coffee, 4 pounds; sugar, 8 pounds; *bacon* 10 pounds; salt, 1 pound, &c.

Now, I submit whether from that language I am not justified in drawing the conclusion that the ten pounds of bacon are as much a part of the regular "authorized Indian ration" as the three hundred pounds of beef, the fifty pounds of flour, or the one pound of salt. Again, below the list of articles constituting the regular "authorized Indian ration," that in case any of the above articles are not on hand, certain other articles may be issued as substitutes, thus:

> Twenty-five pounds hard bread in lieu of flour; one pound of mess beef in lieu of fresh beef; five pounds of lard in lieu of bacon.

There again, you will see, bacon is treated as a part of the "authorized Indian ration," the same as flour and fresh beef; while lard is mentioned as a substitute for bacon, bacon is nowhere referred to as a substitute for anything else.

Now in reference to the deficiency in the various articles, according to the statement furnished me by Mr. Miles. Mr. Miles says:

The amount of beef required for the year was 4,320,870 pounds; the amount actually furnished was 3,000,000 pounds; the deficiency, you will see, was 1,320,000 pounds and over, or something over thirty per cent. The figures, you will recollect, Mr. Miles furnished me; and the calculations you can easily make for yourself.

Flour.—The amount required was 720,145 pounds; the amount furnished was 260,000 pounds; but a very little over *one-third* the amount required.

Coffee.—The amount required was 57,611 pounds; the amount furnished was 21,936 pounds; again but a little over *one-third* the amount required.

Sugar.—The amount required was 115,222 pounds; the amount furnished was 44,019 pounds; about forty per cent. of the amount needed.

Bacon.—The amount required was 143,929 pounds; the amount furnished was 45,657 pounds; *less* than one-third of the amount required.

Salt.—The amount required was 14,393 pounds; the amount furnished was 8,849 pounds; a little over half the amount required.

There was not quite one-third the soap, and but little over half the tobacco, furnished that was required under the treaty; but these things are perhaps of less consequence to the Indians—particularly the soap.

You will notice that the deficiency in fresh beef was to some slight extent made up by the issue of 105,000 pounds of salt beef; but that still leaves a deficiency of 1,215,870 pounds—nearly a million and a quarter pounds.

Q. What was the result of this communication to the War Department? What followed?—A. I heard nothing from it, sir.

Q. Did you follow up the matter any further?—A. Similar complaints on the part of the Indians, and the same feeling of responsibility, and consequent anxiety on my own part, led me to write another communication, to——

Q. What was the date of your next communication?—A. September 19, 1878.

Q. What did that contain?—A. It was in substance a repetition of what I had said before. It was based upon the official report made to me of the number of Indians at the agency—five thousand and four Indians; this, multiplied by 365, the number of days in a year, gives a total of 1,826,460 rations issued. I will put it on the blackboard here, so that you can see for yourself whether there is any error in the calculations. You will see that 1,826,460 rations of beef, at three pounds per ration (gross, as it is issued at the agency), amounts to 5,479,380 pounds of beef per year, the amount required according to the stipulations of the treaty.

Flour, half a pound per ration, for 1,826,460 rations, would amount to 913,230 pounds per year.

Coffee, four pounds for each hundred rations, for 1,826,460 rations, would amount to 73,056 pounds per year.

Sugar, at eight pounds per hundred rations, would amount to 146,112 pounds per year.

Beans, at three pounds per hundred rations, would amount to 54,792 pounds per year.

Corn would of course amount to the same as the flour.

The deficiency of these articles I calculate from figures officially furnished me, as you will see on page 46 of the report of the General of the Army to the Secretary of War, which I desire to make a part of my statement, as it shows, in a briefer form than I can tell it, the deficiency for that year; it embraces my letter, the contents of which you have requested me to state. (Here the witness pointed out to the chairman of the committee the portion of the report which he wished introduced as evidence. See appendix, Exhibit "F.")

Q. This letter of yours, embodied in this report, shows a large deficiency in the supply of these Indians, below what the treaty entitles them to?—A. Yes, sir.

Q. What, if any, further steps did you take to secure to these Indians the full rations to which they were entitled under this treaty?—A. That was the main and principal measure adopted by me.

Q. Did you make any other communication to the War Department, or to any official, after this one bearing date of the 19th of September, 1878?—A. I think I did—as to the causes which led the Indians to leave here. The full report on that subject is mainly embraced in the report of the General of the Army following this. I can give you the dates of the letters I have written, if you wish. This letter, dated September 18, reported that the Indians had gone, and how many. This letter of September 19, on the subject of the quantity of supplies furnished for the subsistence of the Indians for the year ending June 30, 1879, is the one we have been speaking about. My next letter is dated September 20, and details the causes which led to the escape of the Northern Cheyennes. At the same time I forwarded, and made a part of that letter, a letter from Agent Miles, dated September 20, giving his views of the causes of their leaving. Accompanying that was a table showing the weekly issues to the Indians at this agency, from July 1, 1878, to September 2, 1878—just previous to the Indians leaving. I know nothing as to the correctness of that, except that it was furnished by the clerk to me, and tabulated.

Q. What next?—A. That is all, except perhaps some telegrams.

Q. On what day were you informed that the Indians had left?—A. I was first informed that they had left on the 5th of September; but that report proved to be premature. The information which proved to be correct was brought to me on the morning of September 10, at about half past three o'clock.

Q. State what measures you took to recover the Indians, so far as you had anything to do with it.—A. I have already stated that I sent troops in pursuit of them, giving the officers instructions to use every possible effort to induce the Indians to come back without resort to force, and only to resort to force in case every other means proved unavailing.

Q. How long were those officers and soldiers in pursuit of those Indians?—A. The pursuit continued until some time after the middle of October, and to Sidney, Nebr. They returned to this post on the tenth of December, bringing with them Little Chief and his band.

Q. Were they a part of those who broke out?—A. No, sir.

Q. Did they bring back any of those who broke out?—A. They did not.

Q. That is, if I understand you, the soldiers did not succeed in their efforts to bring back any of those who broke out, but they did bring Little Chief and his band down here?—A. Yes, sir.

Q. How many were there of Little Chief's band?—A. About a hundred and eighty people.

Q. What other knowledge have you of what was done after the outbreak, either by the Indians or by the army in pursuit, that you can give the committee?—A. The Indians were overtaken September 13, near a point called Turkey Springs. The troops engaged them in battle, but were obliged to fall back.

Q. Is the officer here who had charge of that expedition?—A. No, sir.

Q. Can you give an account of the transaction?—A. Not under oath, as I was not present.

Q. You have no knowledge, then, as to what happened after the troops left here in pursuit of the Indians?—A. Only from the reports.

Q. Are those reports here, or embodied in any official document?—A. The report made to me was so unsatisfactory that I did not deem it worth preserving. The officer in charge of the troops was afterward court-martialed for inefficiency.

Q. What further or other knowledge have you?—A. I know that the troops from here were joined by others from Fort Elliot, Camp Supply, and Fort Dodge.

Q. About how many troops were there in all?—A. There were two companies from here of about forty each; then there were two companies from Fort Elliot, and one from Camp Supply, making a total force of about two hundred.

Q. And they continued the pursuit of those Indians how long?—A. Until after they crossed the Union Pacific Railroad, on the South Platte River; that was some time in October.

Q. And then returned here, bringing Little Chief and his band, who were on their way here when the outbreak took place?—A. Yes, sir.

Q. To what causes do you attribute the discontent which prevailed among the Northern Cheyennes who were brought down here the fall previous?—A. The Indians stated, as their reason for being dissatisfied, that they found the country very sickly, at least for them; and I know that a great many of them were sick. Then they complained of the manner of the issue of rations, and of the insufficiency of rations. They always manifested a strong preference for their northern home, from which they had been removed. I suppose those causes, combined, are what led to this rash act.

Q. Was this discontent general among the Northern Cheyennes?—A. It extended, I should estimate, to about one-third of their number.

Q. Were the other two-thirds apparently contented?—A. Yes, sir; apparently up to the present time.

Q. Did the discontent embrace also the Standing Elk and Living Bear party? Before the outbreak were not some of them discontended, as well as those who went?—A. I have no knowledge as to that.

Q. So far as you know, the outbreak embraced only those who went away?—A. I mean to say, the feeling of discontent was so strong among one-third of the Northern Cheyennes as to induce them to that rash act; the discontent among the rest was not strong enough to induce them to go; all the Indians—Northern Cheyennes, Southern Cheyennes, and Arapahoes—made loud complaints in regard to rations.

Q. I did not inquire whether the discontent among them all was sufficient to induce a general outbreak, but whether they were not generally discontented?—A. They were generally discontented, for the causes I have before stated.

Q. Did the discontent pervade the whole Northern Cheyenne people, or was it confined to about one-third?—A. That is a question I cannot answer from their acts. I think that a degree of discontent was general. To what extent I cannot say. I judge from the complaints that were made that there was general discontent. But only among about one-third of them was the discontent so great that they were willing to hazard the chances of war.

Q. Was there anything in the manner of their being brought here that contributed to that discontent?—A. Nothing of which I have any knowledge.

Q. Do you think that the fact of their having been brought from a colder climate to such a climate as this would naturally tend to make them discontented?—A. That might have had something to do with it, but I do not think it was, by any means, the main thing. They had long been separated from the Southern Cheyennes, and had lived with the Sioux. They were really, except in name and language, more Sioux than Cheyennes. The country they came from suits their tastes and mode of living better than this. They always expressed themselves as loving that country better than this.

Q. Have there been other instances than this of the transfer of tribes from a northern region to a southern one?—A. I think not, sir; not including any number of Indians.

Q. Was this the first considerable experiment of that kind, so far as you know?—A. Yes, sir.

Q. In your opinion, would not their removal from a northern to a southern climate render them more liable to sickness?—A. The principal sickness among them was of the class of diseases known as intermittent fever, or chills and fever. That was caused, at least partially, by the malarious atmosphere.

Q. So far as you know anything of their removal here, was anything said or done that tended to deceive them, either as to the character of the home they were to be taken to or as to the question whether they were to be permanently located here? Is there anything within your knowledge, growing out of these circumstances, that contributed to their discontent?—A. I can only tell you what General Mackenzie told me. I have the information, indirectly, that after General Crook's campaign of 1876 these Indians were allowed to elect between remaining somewhere on the Missouri River and coming down to the Indian Territory. As it was very delicately stated, this country was "recommended" to them; but they were not advised, lest they might blame General Mackenzie for bringing them. The Indians seemed to regard their removal and stay here as not permanent. In their talk, they repeatedly spoke of a wish to go back.

Q. Do you think they came here with the impression that it was to be with them an experiment?—A. I could not say. The Indians themselves could answer that question better than I.

Q. So far as you communicated with them, did you gain the impression that *they* labored under that idea?—A. They came, I think, under the recommendation that it would be a good place for them; but no one cared to assume the responsibility of settling it. A part of the Arapahoes elected to go with the Crows, and the Cheyennes finally decided to *try* the Indian Territory.

Q. Were these Northern Cheyennes, when they were brought here, in as advanced a state of civilization as the Southern Cheyennes and Arapahoes who were already here?—A. No, sir. They were mere savages from the plains who had been at war until a short time before.

Q. How long have the Southern Cheyennes and Arapahoes been down here?—A. They have been on this reservation seven or eight years.

Q. Had there been any advance in teaching the Southern Cheyennes and Arapahoes already here the arts of civilized life?—A. Very little.

Q. Has there been from the time you came here until this time any considerable advance in teaching them how to work and support themselves?—A. There has been none, sir; or almost none. There is but one house on the reservation, and that has been built during the past winter.

Q. Do you think progress is possible in teaching the Indians on this reservation any mode of contributing to their own support?—A. I have thought there might be in the course of time.

Q. If there has been no progress as yet, what change in the treatment of these Indians would you suggest to the end that progress might be accomplished?—A. If farming is proposed, they would need a number of persons expert in that branch of industry to teach them. Up to this time, there has been but one man, called an agency farmer, to do this; and his time is so fully occupied at the agency farm, and about so many other affairs, that he can do little more than select a place for the Indians to cultivate.

Q. What would you suggest in the line of improvement in the treatment of these Indians, looking toward their contributing to their own support?—A. If they were to remain in the Territory and be confined to the Territory, I think they would do better to adopt stock-raising than any other pursuit.

Q. Please give the committee your views upon that point, upon the possibility of making any considerable proportion of the Indians stock-raisers to an extent that would render themselves self-supporting?—A. I think, from the mode of living to which these Indians have always been accustomed, caring for ponies, and to some extent herding stock, they would take more naturally to the care of stock than to any other employment. Their efforts at farming, so far, have not extended beyond the cultivation of a very small patch of corn, not sufficient to sustain a family more than thirty days.

Q. Do you think it possible, on a limited scale, to induce these Indians to acquire a separate interest in a herd and to care for it so that it will increase on their hands?—A. I think you will have to discriminate between individual Indians. Probably the agent might know of some who would take good care of stock. By giving stock to certain Indians known to the agent as being provident and painstaking their success might induce other Indians to follow their example. If given to such as would pledge themselves to take care of it, and in numbers sufficient to make it an object, I think it might be made a success. But there is a wide difference in Indians. Too frequently we treat the Indians, or discuss concerning Indians, as if all Indians were alike; but there is a wide difference between them. The Arapahoes here are the most settled, the most advanced in civilization; the Southern Cheyennes next, and the Northern Cheyennes are almost without any feeling of that kind.

Q. What effect upon the remainder would the success of a selected number of Arapahoes have if set at cattle-raising?—A. I think it would have a very good effect. I would include, however, and class together the Arapahoes and Southern Cheyennes. Among them both are quite a large number who would take good care of cattle, and the success of one would stimulate the ambition of another until the experiment might be extended in time to the Northern Cheyennes.

By the CHAIRMAN:

Q. In making this selection, do you think it would be wise or unwise to make the selection and cultivation of a piece of land one of the conditions of receiving a supply of cattle? How would it do to give the stock to such as had selected and actually gone into the cultivation of a piece of land, whether three acres or thirty?—A. I think when an Indian shows a disposition to help himself the government should step in and help him, at least in preference to helping those who show no such disposition. The Indians say that the government has promised them houses; they say they want houses, and would gladly live in houses, but the government neither builds houses for them nor shows them how to build.

By Mr. DAWES:

Q. Do you think it the best policy for the government to wait until an Indian *solicits* work, and farming implements, and stock, &c., before offering them to him?—A. I think it would be well for the government to *suggest* these things, and furnish them to those who will make the best use of them. If a few succeed, then others will follow their example.

Q. The question is, could any headway be made in awakening and propogating in the breasts of these Indians a desire to live in a civilized way, or must the government wait until the Indian spontaneously breaks out in that desire of his own notion?—A. I think the work might be commenced at any time, with good hope of success. Some of these Indians are already doing well in this respect.

Q. If some employment had been found for these Northern Cheyennes when they first came here, to engross their attention and thoughts, do you think it would have been possible to have done away with any portion of their discontent?—A. I think it might possibly have lessened it.

Q. Were not their leaders, like Living Bear, Standing Elk, and such men, capable of being enlisted in some sort of enterprise or undertaking that would have occupied their energies and thoughts, and made them more contented; and would not they have drawn after them the rest, and the trouble that followed have been thus avoided?—A. There was no possible means within the ability of the agent and myself——

Q. I do not mean that; but *if there had been* means provided, would not the furnishing of employment, to occupy their thoughts and energies, or their enlistment in some useful enterprise, have tended to make them feel less discontented here?—A. I have some doubts as to their taking hold of anything of the sort so soon; perhaps they might have been gradually brought to it. To bring about any change in the condition of these Indians requires considerable time, as well as a great amount of patience. They must have proper teaching and good example, and must be encouraged to do these things. I think there has been some effort made to get the Indians to select some place to locate. There has been one located; Curley, one of the Arapahoes, has a house, built partly by his own labor, with some assistance from the agent. That is the only house there is here owned by an Indian. Little Raven, another Arapahoe, has pleaded often for a house; he has been to see me about it several times.

Q. If the treaty stipulations with him had been fulfilled, as to building him a house, what would have been the effect upon his people?—A. I suppose that the government's showing a deeper interest in his welfare would have tended to satisfy and localize him and them.

Q. Could you suggest any treatment of these Northern Cheyennes when they first came here, which, if the means had been at the command of the agent, would have served to diminish their discontent, without reference to the limitations on the agent?—A. I think the agent used his best efforts to make them contented, with the means at his command.

Q. I said, *if* the means *had been* at his command?—A. Well, they had a great deal of sickness, and only one doctor to five thousand Indians, and no medicine; and, taking Indians as they are constituted, the rations were insufficient, in my opinion. As the Indians said, they went away to save their lives, for if they staid here they feared they should all die.

Q. Is it your opinion that if the agent had had sufficient supplies of food at his command, and medicine and medical service, he could have contributed largely to the removal of this discontent?—A. He might have made them more comfortable, but I cannot say that he could have prevented their going away. Their discontent with the country, and with their life here, was very deep-seated and settled.

Q. Do you think that discontent can be overcome?—A. It is impossible for me to say.

Q. It is not impossible for you to say what you think about it?—A. I hope it may; but these Indians are very peculiar. They have their traditions, their fondness for localities and associations.

Q. Have you had any experience in dealing with the northern Indians, or has your experience been confined to Indians in the southern country?—A. I was stationed twenty years at Fort Laramie, and there saw more or less of the Sioux Indians.

Q. Do you think this dislike the northern Indians have to coming down here is any greater than their dislike to changing from one locality to another in the north?—A. O, yes, sir; very much greater. The life of an Indian—his mode of life—is very simple. It consists in war, the pursuit of game, and fondness for ponies; but their impulses, their feelings in any direction are very strong, and not readily changed. They have especially strong attachments for localities and for such things as give them pleasure. It is difficult to see how these can be overcome or influenced in the direction of civilization.

Q. Have they any of those attachments which among civilized nations are called home or domestic attachments?—A. They have strong attachments for their children and for localities where their fathers have died and been buried.

Q. Do you think those attachments are as strong among Indians as in civilized life?—A. I have no reason to think otherwise, sir—yes, sir, I think they are.

By the CHAIRMAN:

Q. Then, as to any hope of change in the feeling of discontent among the Northern Cheyennes on account of change of locality, that hope, you think, must depend upon the younger generation and not on the older?—A. O, yes, sir; I think that, for any change for the better for local attachment or for improved civilization, we must look entirely to the children; the other Indians are past the age when their mode of life or feeling can be much influenced by circumstances.

Q. The older Indians will probably remain discontented, but as the younger ones grow up in this locality they may form attachments for this locality?—A. That is what I mean, sir.

Q. So, in all things, the older ones will abide by what they learned and formed attachments for when they were children; but the children will grow up loving *this* country?—A. Yes, sir; not having seen that country, they will not have the same memories of it and attachment to it of their elders.

Q. If the government should attempt to convert these people into cattle-raisers, do you think it would be wise to demand, as one qualification of the recipient, that he had settled upon and was cultivating a piece of ground?—A. I think it would be a good idea. I think that if the family or parties taking the cattle should be given say ten or twenty, it would be better than to give them only two or three. Even if no more cattle were given in the aggregate, it would be better to have them divided among fewer families and let each family have more stock. When ten cattle have increased to twenty it seems a great deal more of an increase than when two or three cattle increase to four or six; and would be more encouraging to the Indians.

Q. In case of such deliveries or donations of cattle to the Indians, if it were made a condition that for two, three, or four years they should not slaughter any portion of them, would they abide by that agreement?—A. I think you could make selections of Indians who would abide by such conditions; and I think they would generally, after a little time.

Q. That is, if they had agreed to do so?—A. Yes, sir.

Q. They pride themselves somewhat upon doing what they have agreed to do, do they not?—A. Yes, sir. When friendly they are very reliable. Once we had a horse lost, with the saddle; the Indians found them and brought the horse and saddle and canteen into camp and delivered it up, when they might just as well have thrown the saddle into the brush and kept the horse.

By Mr. **Morgan**:

Q. You spoke some time ago about the "agency farm;" what is that?—A. It is a piece of land near the school-house cultivated by the larger boys of the school; the proceeds go to their benefit.

Q. With what success?—A. Very fair. A year ago the government purchased forty thousand pounds of corn from them. The boys of the school own a herd of cattle procured in that and other ways.

Q. Do you think the presence of this Little Chief band here is a cause of disturbance and danger?—A. I do think they are, to some extent. They have kept pretty much to themselves so far; they do not seem to like the other people here nor the place. I think he has tried to draw as many as possible to his way of thinking.

Q. Do you know of any military reason which would render it improper to return that band of Indians to their homes in the north, under proper precautions?—A. Little Chief's band is a source of constant anxiety to the military authorities, as they are liable on any change of feeling that may occur to break away and go north, to stir up dissatisfaction among the other Indians, and involve them in trouble to an extent that cannot be foreseen nor provided against.

Q. If that band of Indians were out of the way, there would be less trouble in managing the others, would there not?—A. I think there would be hardly any difficulty in getting along with the rest.

Q. Their presence here is the chief cause of your anxiety?—A. Yes, in reference to matters connected with Indian affairs.

Q. Do the Indians here keep up their old habits and customs in regard to their annual customs, &c.?—A. Yes, sir; entirely so; they continue their primitive mode of life as far as possible. The only thing they cannot indulge in here is the chase.

Q. Do you regard the supply of game that this country may hereafter furnish as any real advantage in the support of the Indians?—A. There is so little that it is hardly worth the hunting.

Q. The government, then, must expect hereafter to supply them with rations, and whatever deficiency remains the Indians must make up by farming or stock-raising?—A. Yes, sir.

Q. Have the Indians in general, the five thousand at this agency, shown any disposition to engage in any remunerative employment?—A. A few of them have. A few have ground broken up and planted to corn; a few have been cutting wood. I do not know that any outside of the school boys have assisted in putting up hay. A few, five or six, mostly women, worked for a while in a brick-yard. There is a general distaste among the *men* for anything like manual labor; this is the case with Little Chief especially, and his people.

Mr. MORGAN. I desire to have inserted in the report the letter of Mr. Miles, printed on page 36 of Miscellaneous Document No. 64, Forty-fifth Congress, third session (see appendix, Exhibit "H"); also the communication from Commissioner Hayt, on page 39, of the same document. (See appendix, Exhibit "J.")

Q. Have you examined the letter of John D. Miles to Commissioner Hayt, dated November 1, 1878?—A. I saw it for the first time yesterday.

Q. You have examined it?—A. Yes, sir.

Q. Are there any statements of fact that you desire to make in connection with that letter?—A. I think Mr. Miles creates a false impression affecting the facts in the case in regard to withholding rations from persons who perform no labor. He says: "Whenever the said Indians shall be located upon lands which are suitable for cultivation, rations shall be issued only to the persons and families of those persons who labor." As I understand his letter, he makes it appear that the shortage was due to the fact that they were withheld, under act of Congress, by instruction of the Indian Office, as a means of bringing the Indians to labor; when the real state of the facts was, there was *an insufficiency of rations*, and no labor to give these Indians; there was nothing for them to do if they had wanted to work.

Earlier in the letter I notice a contradiction of a statement made by an interpreter in regard to the Indians eating dead horses. The fact is, Indians eat that sort of meat whenever and wherever they find it. They are not at all particular about an animal's having been dead three or four days, or about its having died from natural causes.

One other point: Mr. Miles speaks of a letter of mine addressed to him in answer of one of his to me, in which he asked whether the Indians had been disarmed previous to their arrival here. I answered him that "I *understood* that these Indians had been disarmed previous to their leaving Red Cloud Agency," but that "I had no official information to that effect." It is this paragraph in Mr. Miles's letter that induces the Commissioner to say, in his communication to the Secretary of the Interior, "it is plainly the duty of the military authorities to disarm" the Indians. Both Mr. Miles and the Commissioner seem to reflect upon me, because it turned out afterward that the Indians had arms. Now, I have some correspondence here, which I wish to have put in evidence. I claim to be the first officer or civilian who insisted on the Indians being disarmed and dismounted before being turned over to be settled on a reservation. On the 31st of May, 1876, I informed the department of the arrival of ninety-seven Indians of all ages, who had reached the agency on the 27th and 28th of May. In my letter I urged that the Indians be disarmed and dismounted before being turned over to the agent. I did the same again in another letter, dated the 8th of June, 1876. The result was that Mr. Chandler, then Secretary of the Interior, approved of my suggestion and ordered it to be carried into effect. And I claim to be the first one to urge this policy upon the government, and to have secured its adoption as a part of governmental policy in connection with Indian affairs. And to day the Commissioner tells me I should have disarmed those Indians. At that time it was not my business to disarm them. Afterward I did disarm them. When they first came here I did not have control of them. When I came to have control of them and received orders to disarm them, I did so as completely as I could; as effectually as possible.

By Mr. DAWES:

Q. Those Northern Cheyennes came down here in charge of the military, did they not?—A. They did.

By Mr. MORGAN:

Q. When the Dull Knife band came down here, were you informed by the military officers having charge of them that they had been disarmed?—A. When those Indians arrived here, General Mackenzie himself was present; I had direction over the three posts in the Indian Territory, Sill, Reno, and Elliot. General Mackenzie having been with General Crook when the surrender of these Indians took place, I received them, supposing that of course they had been disarmed; being brought here by the military, I assumed that that had been done before reaching here. Besides I had so learned through the papers and reports.

Mr. DAWES. It was not the duty of Colonel Mizner to step in and assume that his superior officer had not done his duty.

By the CHAIRMAN:

Q. Some of the Indians testified that the arms they took with them when they went north were procured after getting here; that arms were bought from the Pawnees and other Indians.—A. That might be; I presume very likely that is true.

By Mr. MORGAN:

Q. Do the Indians observe their institution of polygamy here?—A. Yes; some of them have two or three wives.

By Mr. PLUMB:

Q. You state here, in this tabulated statement (see Exhibit "F"), that the supply of beef for the fiscal year ending June 30, 1879, was about one million two hundred thousand pounds short. How did you ascertain the fact that only the number of pounds of beef you have here stated reached the agency?—A. It is very easily found from the report.

Q. I do not find it in this report. Is it not a fact that the delivery of beef to the agent is always made under the supervision of an officer detailed by you?—A. It is not.

Q. Have you not detailed an officer, and made it his duty to witness every issue of beef to that agent over there?—A. When the agent requested me to detail an officer for that purpose, I detailed him; he and the agent constituted a board.

Q. Did that officer report to you?—A. He did.

Q. Did he ever report to you a deficiency in the issue?—A. He did not.

Q. Then, so far as you know, there never has been any deficiency of beef?—A. No, sir. Understand me: I have not claimed a deficiency of *issue;* I am talking about the *amount furnished.* I assume this: that the agent cannot issue what he does not receive. I can produce here the contract for the beef for the agency over yonder, for the year ending on the 30th of June last. It states the amount contracted for and authorizes 25 per cent. additional if the Commissioner shall desire.

The amount contracted for was 3,750,000 pounds. If the additional 25 per cent. had been called for, that would have carried the amount up to 4,687,500 pounds. The simplest mathematical calculation, which still remains yonder on that blackboard, shows that 5,004 Indians, eating three pounds of beef per day, which the treaty demands shall be furnished them, will in three hundred and sixty-five days need 5,479,380 pounds. And the contract, *including* the 25 per cent. which the Commissioner is allowed to call for, falls short of that by nearly eight hundred thousand pounds.

Q. Now, I care nothing for all that. What I want to get at is, not the amount of beef received by the *agent*, but by the *Indians*. Did they, or did they not, have the requisite amount of beef?—A. I do not think the Indians have ever gone without their beef rations. They have received, so far as my knowledge extends, their full allowance of beef every day in the year when they have been present at the agency. Do not understand me as swearing that the Indians had all the beef they should have had; I only say, I do not know that they did not. As to Agent Miles and myself, our relations are perfectly friendly; and I suggested the furnishing this information to me that I might make the very use of that I did in my first letter, that of May 30, 1877. In fact, the whole of the information contained in that communication is not mine, but his, given over his own signature.

Q. You say that many of the Indians, the Northern Cheyennes, were sick shortly after coming here; that there was but one doctor for five thousand people, and no medicine; that they said to you, if they remained here they should all die, and that they went away to save their lives. Now, if there had been a proper supply of medicine and medical attendance, so that they would not necessarily have died, would not that have modified the feeling of desperation under which they went away?—A. Undoubtedly it might.

Q. Would not the furnishing of proper supplies and the existence of health tend to make them contented?—A. Yes, sir.

Q. And the absence of them would tend to make them discontented? —A. Certainly; the more so, taking into consideration their strong preference for their native country.

By Mr. MORGAN:

Q. I notice that in some of the reports made to you by some of your officers detailed to oversee the issuing of beef, the character of the beef is represented as being very poor. State whether or not any explanation was given why beef was received in that condition.—A. The officer had nothing to do, officially, with the issue of beef; he is there simply to receive it. On one occasion the officer stated to me, he and the agent acting as a board, would have condemned the beef entirely, because it was so very poor, but for the reason that no other beef could possibly be had. During the winter months the cattle here are, all of them, apt to get a little poor, and those were very poor. To make up for this, Mr. Miles decided to give the beef to a smaller number of Indians. This was done so long as the beef continued so poor. This occurred on only one occasion.

Q. When these Northern Cheyennes escaped and went north, what officers did you send after them, and how far did they pursue them?—A. They went to the South Platte; Captain Rendlebrock was in command; Captain Gunther was the next officer, with Lieutenants Wood, Wilder, and McDonald.

Q. Are any of these officers here now?—A. Yes, sir; Captain Gunther and Lieutenant Wilder.

Q. Where is Captain Rendlebrock?—A. He has been retired, and I suppose has gone to Germany; I last heard of him at Hoboken, N. J., but I understood that he intended going to Germany.

By Mr. DAWES:

Q. Have those officers who are here as much personal knowledge of what occurred as anybody?—A. As to the pursuit of the Indians, yes, sir; they were following them all the way.

Q. Did they see the evidence of the outrages committed?—A. A part of them.

Q. Would they be as likely as anybody to communicate to us such information as they have?—A. I think so.

By Mr. PLUMB:

Q. About what date was this report made about the character of the beef?—A. I do not think I can tell you.

Q. Was it in 1879 or 1878?—A. In 1878; at least as soon as that; I think it was a year ago this past winter.

Q. Was it in the fiscal year 1879?—A. It was a year ago last winter—the winter previous to the Indians going off, if I remember rightly.

Q. Is this report to which you refer?—A. That is one of the papers, but not the one to which I particularly refer; there are others preceding that.

Q. You are sure it was before these Indians went away?—A. Yes, sir; that is my impression.

By the CHAIRMAN:

Q. Have you anything further that you would like to say bearing on this subject?—A. I would like to say that in using the word "deficiency," in reference either to beef or flour, or any other of the articles constituting in part the rations of the Indians, I mean the whole amount necessary to feed them for twelve months, under the provisions of the treaty as to the amount of rations allowed them, and the amount for which provision had been made at the time I made my report.

I might add that, from information furnished me by the agent, I was strongly impressed with the belief that supplies furnished for the current year were insufficient, or before the close of the year would be found insufficient, and that timely representation should be made in order to secure the balance. As I understood the case, provision had been made covering only about eight months of the year, and it was very important that supplies should be obtained at once for the remaining four months, as the Indians could no longer depend upon hunting for any portion of their subsistence. The information was furnished freely and cheerfully by the agent, who understood the object I had in view in making my report; it was done to assist him, and with no expectation on my part that it would ever appear in print, or become a subject of controversy, but simply that it would be communicated to the Interior Department at Washington. This letter that I introduced I have no desire to press upon the committee at all; but it contains a statement of the supplies furnished up to June 30, 1877, and is headed by the agent, "Statement of subsistence received during the fiscal year and the prices paid, not including freight." He received nothing after that that I am aware of; his letter was dated May 25, only thirty-five days before the end of the fiscal year. I suppose that to be all he received during that year. His estimate for the year ending June 30, 1879, contains also a statement of what he had received during the previous year, and the two papers show all that was had or expected to be had at the agency for three years.

I find, by reference to a letter dated April 14, 1878, an extract from one of my letters, as follows:

> The complaint in regard to the beef I found was a very just and proper one, and I prevailed upon the agent to increase the amount of the weekly issue until better cattle could be obtained. With this change in the rations, I understand the Indians are satisfied, and they have made no complaints since.

I would also like to have you insert as a part of the evidence in this case, a copy of this letter of mine in regard to the disarmament of the Indians. (See appendix, Exhibit "K.")

I would also request that the letter of John D. Miles to me, dated September 20, 1878, and to be found on page 49 of the report of the General of the Army for the year 1878, be made a part of your record. And I would invite your special attention to the first paragraph of said letter, in which Agent Miles states what constitutes the daily ration promised to the Indians, and adds, "*which promise has only been carried out in part, the supplies received being insufficient.*" (See appendix, Exhibit "G.")

W. E. WILDER.

FORT RENO, IND. TER., *August* 21, 1879.

Lieut. W. E. WILDER sworn and examined.

By the CHAIRMAN:

Question. Were you one of the party who were engaged in the pursuit of the Northern Cheyenne Indians when they left the agency here last year?—Answer. I was.

Q. Please give a detailed account of that pursuit and the circumstances connected therewith.—A. On the 5th of September, 1878, I received word that the Northern Cheyennes, or a portion of them, had left the agency. That report was incorrect, or at least premature, but supposing it to be correct, the more so as there had been for some time before indications that they intended to leave, the cavalry command was immediately ordered out, and we started that night in the direction in which their camp was last known to be. We went only a short distance that night. The next morning w marched on and found them in camp, about ten or twelve miles from Fort Reno. The guide went into their camp, and after going around among them came back and reported that the Indians were all there; none had left. On this we started back to the fort, but within a few hundred yards we turned back and made a temporary encampment, for the purpose of staying there a while, in order to watch the movements of the Indians. The place we went into camp was within three or four miles of the place where the Indians were camping. We watched their movements by the use of scouts and by our own personal observation. We remained in camp till the morning of the 10th of September. On that morning we received the report that the Indians had fled during the preceding night. We at once started after them and kept on their trail, marching from thirty-five to fifty miles a day, till the 13th of September, about ten o'clock in the morning, when we came up with the Indians. We found them ready. They halted and they came back a mile or so to meet us. Our command was halted. This was near Turkey Springs, in the Indian Territory. One of our scouts was sent down to interview the Indians. He came back and reported—I heard him give the report to the commanding officer—that they wanted to fight. As soon as that word was returned our troops commenced firing. There was skirmishing kept up all day till nearly dark, not a continual firing, but occasionally a few shots were fired. During the day, before night, the commanding officer decided that the Indians so much outnumbered us that nothing could be accomplished at that time. We were in a position where it was very difficult to get water for either stock or men. Men and animals were suffering very much from thirst. So the commanding officer decided to withdraw and fall back on our trail till we could find water again.

By Mr. MORGAN:

Q. Who was the commanding officer?—A. Captain Rendelbrock, who has since been retired. The command was withdrawn, and we followed the back-trail for about two and a half miles. When we withdrew the Indians came in hot pursuit. We found water and made a proper disposition of our troops for defending it. We lay there during the rest of the day, and then marched into Camp Supply with our wounded.

Q. How many were wounded?—A. Four men were wounded, besides two that were killed. Some of the men were wounded very severely, and needed immediate attention; and we had no medical supplies nor surgeon with us; that rendered it necessary for us to go where they could be obtained.

By Mr. DAWES:

Q. How far was it from there to Camp Supply?—A. According to the best estimate I can make, about fifty miles.

Q. How many men had you, all told?—A. We started from here with about eighty men.

Q. That was your force at Turkey Creek?—A. Yes, sir. But you must understand all these men were not available for fighting purposes; we had a pack-train of horses, which had to be held; so that altogether we had about fifty men that we could put into line for fighting. A small command of that kind is very much reduced in number by the men necessary to hold the horses. We arrived at Camp Supply on the 16th of September.

The next morning a portion of our command, about forty men, commanded by Lieutenant Wood, and accompanied by Mr. McDonald and myself, went out on the Camp Supply and Fort Dodge road, to communicate with and support Captain Hemphill, to intercept the Indians as they crossed that road. We went as far as the Cimarron, about thirty-eight miles from Camp Supply; we there learned that the Indians had recently been seen in that country, and from all that we could hear the probability was that they would be found east and north from that point. It was after dark when we arrived at the Cimarron. The next morning we started out and marched about seventeen miles east and north, but found nothing of the Indians, so we marched back to the station which we had left at the Cimarron. There we were joined, that night, by the remainder of our command, commanded by Captain Rendlebrock; Captain Gunther was along with him before they had joined us. Captain Rendlebrock then took command of the entire force.

From what we heard, we concluded that the best thing for us to do was to make a forced march to Fort Dodge, about fifty miles, and then take the railroad up the Arkansas River, and join Captain Hemphill, who had his company there, and try and intercept them if they crossed. We marched on until about an hour or an hour and a half after sundown, when we were, I don't know exactly how far from Fort Dodge, but it must have been a considerable distance, when we met a courier from Fort Dodge, who directed us to march eastward and join Captain Hemphill, who was marching from the point where he had been taken by the railroad to the vicinity of Sand Creek, where the Indians were reported to be. As it was now after dark we went into camp, and remained till the next morning.

The next morning, about sunrise, we started eastward, and marched in that direction until we struck the trail of Captain Morse; Captain Hemphill had been joined by a company of infantry under Captain Morse, and Captain Morse had become commanding officer of the two companies. We followed the trail until we overtook this other command; then, as soon as we found water, we went into camp; this was about half past four o'clock in the afternoon.

Just as we got our horses unsaddled, we heard firing, which seemed to be about a mile and a half or two miles from camp; the presumption was that it was caused by several cow-boys; for before this time about thirty cow-boys, from the southern part of Kansas, had joined us. We supposed these cow-boys had met the Indians, or a portion of them, and become engaged. Command was immediately given to saddle up; and as soon as we were mounted, Mr. Wood, who had command of Company G—Captain Rendlebrock being in command of the expedition—mounted his men, and we started out to gallop in the direction of the firing. We were the first company. On going out we saw that probably the whole force of the Indians were engaged with the cow-boys, and rapidly driving them back toward our camp. We drove the Indians back to the ravine until sundown, when we were withdrawn. The other companies—we then numbered four—the three remaining companies, except Captain Hemphill, remained in camp. Captain Hemphill about half an hour before sundown, was sent out in our rear, to prevent the Indians from following us up as we withdrew. We remained in camp there until the next morning, when we took a circuit of about eight miles, and again struck the Indians. The engagement that followed lasted from ten o'clock until nearly sundown; but nothing in particular was accomplished. I took fourteen men, went around their position, examined it, went back and made a report regarding it.

That night the Indians went on. The next day we remained in camp until about noon and then went back to our old encampment, where we expected supplies of ammunition and rations. That evening the ammunition and rations arrived. The next morning we took the Indians' trail. We reached the Arkansas the second day's march. The point where we struck the Arkansas River was about five miles from the station called Cimarron, on the Atchison, Topeka and Santa Fé Railroad. We arrived about eleven o'clock and remained in camp until the next morning. That night we were joined by two companies of the Fourth Cavalry and one company of the Nineteenth Infantry. The company of the Sixteenth Infantry which had been with us was sent back to its post the next morning.

We now had five companies of cavalry and one company of infantry, the command falling to Lieutenant-Colonel Lewis. We followed the Indian trail for two days, I think, possibly three. On the afternoon of the second day—I think it was—about four o'clock, while we were waiting in a cañon for our baggage-wagon to come up, we were suddenly attacked by the Indians, who appeared on the bluff in force. Immediately upon the fire of the Indians, which, of course, was a complete surprise, the command by common consent rushed to the bluffs. On reaching the bluffs a skirmish line was soon formed and the Indians were soon driven back rapidly. We then found that the Indians had prepared a fortification, rifle-pits, and such means of defense as the natural features of the country afforded. The country there was exceedingly rough and very stony. For twelve or twenty-four hours they had been waiting and watching for us at that particular point. In this engagement Colonel Lewis was killed. Several men, I do not know how many, were wounded. We captured about eighty head of Indian stock, and generally demoralized the Indians. But that night they escaped.

By Mr. MORGAN:

Q. Did you capture any Indians?—A. No, sir. One Indian was killed; two or three others were reported killed, but the Indians have a way of carrying off their dead, so that you cannot tell. One dead Indian was left on the ground. We captured a great deal of their food—dried meat; also many of their pack-saddles.

Q. What kind of dried meat was it—dried beef?—A. I could not say; probably it was; there were a hundred chances to one that it was dried beef, because the country they had been going through had a great many cattle in it, and the Indians had been stealing stock of every kind. All of them together, of different parties, must have stolen as many as a hundred and fifty head of horses; and they had a great many sheep in the camp that we struck on Sand Creek. They did a great deal of other damage. We found the body of one cow-boy that the Indians had killed. Nobody knew him, but we buried him. This fight that I have been describing took place on Famished Woman's Fork, Kansas. The next morning we started on trail of the Indians, and reached the Kansas Pacific Railroad on the second day's march from the fight, about eleven o'clock. From there we sent a telegram for rations and ammunition, which were sent out and received that day. The next morning we again started on the trail of the Indians, and followed them up until we were beyond the North Platte River. We followed their trail, making long marches of thirty to sixty miles per day.

We next saw the Indians while we were yet some seven miles away from them, on a bluff which overlooked a very extensive bottom. We could see them two hours before dark; but as soon as it became so dark we could not see their trail we had to go into camp. We made a dry camp. The next morning, as soon as it was light enough to see the trail, we started on, and marched to the South Platte River, at Ogalalla, a railroad station on the Union Pacific railroad. There we learned that Major Thornburgh had started in pursuit of the Indians on the afternoon of the day before we arrived, and was some distance in advance of us. Some telegraphic dispatches were received from the Department of the Platte headquarters, and also from the headquarters of the Division of the Missouri. After following the trail for about two days more it was decided to withdraw, and we went into Fort Sidney, Nebraska. That is all we followed the Indians. When we came back we brought these other Northern Cheyennes.

By Mr. DAWES:

Q. Did you find these other Indians there when you got there?—A. Yes, sir; they had been waiting there some time for want of an escort.

Q. How many men did you lose, all told?—A. Altogether we lost only two enlisted men, killed; another man was lost to the service by being so badly wounded that he afterward received his discharge; and Colonel Lewis was killed; at least he received wounds from which he afterward died.

Q. Did you lose any of your outfit?—A. We lost some saddles and some guns. The principal losses occurred on the morning of the 14th of September, when we withdrew from the place, where there was no water; the command was very much demoralized; the most of the soldiers felt that they had been whipped; very little effort was made by the commanding officers to restrain them; and there were only about twenty-five men who would keep in any kind of order. In that retreat several packs were lost—among the rest the pack containing all my things—my blankets, overcoats, &c., and what little we had to eat. On that occasion Lieutenant Wood, McDonald, and myself had for our duty to keep the Indians off from the rest of the command.

Q. Did you see, anywhere on your way, any evidences of outrages perpetrated by the Indians?—A. Yes, sir; in one place, in Kansas, I saw the bodies of three men about a hundred yards from the house which they had evidently occupied; the men were lying on the ground with their brains knocked out; two had been struck in the back of the head and one in the forehead; thay had apparently been running from the house when they received these blows from the Indians. The house, inside, was all torn to pieces; the feather beds were strewn all over the yard; the dogs, cats, geese, ducks, every living thing belonging there had been killed, and was lying there dead. Five or six hundred yards further I found four children, the oldest twelve years old, the youngest a mere babe, the children of Bohemian settlers—the men who had been killed. These children were in a very destitute condition. That was all I saw; but I heard of a great deal more.

Q. What did you do with those children?—A. I turned them over to the other settlers in the vicinity to be taken care of.

Q. Did you see anything of any females around there?—A. The oldest one was a girl; I did not see any women myself; I know, by rumor, that there were some there; one was crazy, I was told; I understood that she had been ravished by the Indians and gone crazy on account of it.

Q. Have you stated all the evidence you saw yourself of outrages committed by the Indians?—A. Yes, sir; I believe so; the rest is but hearsay.

Q. From what source did you get your hearsay information?—A. Directly from scouts who saw the outrages.

Q. Who were those scouts—Indians or white men?—A. White men; one of them is here at the post now—Mr. Donald.

Q. Are they scouts whose word can be relied upon?—A. O, yes, sir; Mr. Donald can be fully relied upon; and his statement is confirmed by that of others who were with him.

Q. State what you learned from these scouts.—A. I learned of this woman being outraged, and going crazy on account of it. Then I heard that in one place the bodies of six men were found, evidently killed by the Indians. Altogether, according to the reports received from the scouts, there must have been fifteen or twenty people killed in that country along the trail of the Indians.

Q. Mostly men?—A. Yes, sir; there were no women or children killed that I ever heard of.

Q. Did you hear of any other outrages on females?—A. No, sir; I heard of only that one instance.

Q. Did they destroy much property?—A. Yes, sir; every place they went they destroyed all the property they could lay their hands on, and stole all the stock they could find.

Q. What was the extent of their taking off stock? Did you learn?—A. We followed their trail, and from what we could hear from the settlers through the country where we went, we reckoned up at the time the Indians must have taken between two hundred and two hundred and fifty horses, besides cattle, which they killed as they came across them. Of course there may have been, and indeed there probably were, more horses stolen that we did not hear of, as we marched through the country rapidly.

Q. How much time was occupied in the pursuit from the time you started out until the time you determined to withdraw and go into Fort Sidney?—A. Just about one month.

Q. What kind of weather was it when you went into Fort Sidney?—A. It was tolerably pleasant, with the exception of high winds; a regular "norther," in fact; it was not so cold but that it would have been comfortable but for the wind.

Q. How many Indians were killed in all? Do you know?—A. The only dead Indian I saw was one; but I was of the belief that some others were killed. One Indian we picked up on the trail the morning of the day that we left Ogalalla. He was turned over by the military to the civil authorities, and was shot by one of the citizens. He was old, and could not go any farther, and the Indians dropped him.

Q. Who was it that shot him?—A. I did not see anybody shoot him; but just as we were leaving we heard a shot, and were told afterward that this Indian had been shot. It was reported that the citizens shot him. I heard afterward that it was reported that the troops shot him.

Q. Was there great public indignation against the Indians there?—A. Yes, the public indignation there was very great indeed.

Q. Was there a crowd gathered around?—A. I could not see any great crowd gathered around.

Q. How did you judge—from what did you conclude—that there was great public indignation there?—A. It was merely from the expression of individuals that I formed my judgment.

By Mr. MORGAN:

Q. There was a dispute, as I understand it, as to whether that Indian was killed by the citizens or the soldiers?—A. Yes, sir.

Q. Do you know whether, when the Indians stole those horses, they abandoned their own ponies?—A. No, sir; they only abandoned their own ponies when they became useless. In one day an officer of our command counted sixty ponies that had been abandoned, being perfectly jaded, so that they could not go any farther.

Q. Do you know under what chiefs these men went out?—A. Dull Knife was the principal man; then there was Old Crow, and Little Wolf, and Hog.

Q. Did the Indians take their women and children along with them?—A. Yes, sir; the whole band, just as they were here. There were probably more women and children than there were warriors. But the women are no incumbrance; they are an assistance, rather.

Q. Do not the Indian women fight sometimes, too?—A. They might, sometimes, in close quarters; but as a general thing, I believe they never carry a gun, or anything of that kind.

By Mr. PLUMB:

Q. What evidences did you see of their having attacked and plundered cattle camps between here and Fort Dodge?—A. I did not see any evidences of it except the tracks of cattle along the Indian trail.

Q. Did you see any cattle in their camps?—A. No, sir.

Q. Did you learn through scouts or otherwise that they had attacked cattle camps?—A. No, sir; but they stole stock when there was nobody about.

Q. Do you know of their killing anybody in the cattle camps?—A. No, sir.

Q. Had you reason to suspect that they got arms from the cattle men along the route?—A. No, sir; the cattle men all the way along seem to be well armed and prepared; it was merely the settlers that they found unprepared.

Q. Might there not have been some settlers killed and other outrages committed by flanking parties which would be off your line of travel in pursuing the main body of Indians, and so be beyond your reach and observation?—A. Doubtless there were, for the Indians scattered in small parties all through the country; the settlers scattered, too, toward the settlements for safety. Of course we passed rapidly through the country and could not follow up all the small parties of Indians.

Q. Did the Indians ever attack your command?—A. Yes, sir.

Q. When and where?—A. At Famished Woman's Fork, in Kansas.

Q. Was your command then pursuing the Indians?—A. No, sir. Our command were dismounted and holding their horses, waiting for the wagon train to come up. It was a very rough country; we were at the time on a ravine, when we were suddenly and unexpectedly attacked by the Indians from the bluffs. We soon drove them back and captured their stock.

Q. You speak of some of the necessary details reducing your force to about fifty men; by that you mean details to hold the horses?—A. Yes, sir.

Q. You mean the force would be that much reduced if the fighting were done on foot?—A. Yes, sir; and fighting is almost invariably done on foot.

Q. How were the Indians provided with arms and ammunition, as compared with your command?—A. They were well supplied with ammunition and had a great many guns—better ones than ours.

Q. Did you have breech-loading guns?—A. We had Springfield carbines.

Q. What did they have?—A. They had Springfield carbines and Sharps carbines. One gun, particularly, came to the notice of my command which they pronounced to be a buffalo hunting gun or a buffalo rifle; it carried a very large ball, as indicated by the sound, and had a very long range.

Q. What proportion of them were armed with Springfield rifles, so far as you could determine?—A. From having seen Springfield carbines in their possession they must have had them, or some of them, before they left. Then I saw ammunition taken from the rifle-pits of the Indians after they had vacated them, and these were the regular government shells, Springfield carbines, caliber .45.

Q. What proportion of them were armed with these Springfield carbines?—A. I could not say.

Q. Could you not say whether there were one-half, or one-fourth, or three-fourths?—A. I could not judge of that at all.

Q. Did they have other guns besides these?—A. Well, they were well armed; I could not state exactly how; speaking merely from my best judgment, from the amount of firing done when they were fighting, I should say there must have been at least eighty armed men; that would be the lowest figure I could possibly estimate them at.

Q. What was the greatest number of fighting men that could be brought into line that were ever opposed to them during that pursuit?—A. Between a hundred and eighty and two hundred.

Q. What was the smallest number that you ever opposed to them?—A. About eighty.

Q. When your strength was greatest you had between a hundred and eighty and two hundred men that you could put into the field in actual fight?—A. O, no, sir; I mean that was the whole strength of our command.

Q. What was the greatest number of men that you had available for actual fighting purposes?—A. About a hundred and fifty.

Q. What was the smallest force available for fighting purposes that you had at any time?—A. About twenty-five.

Q. At what place did you have the largest number of men? In what fight?—A. At Famished Woman's Fork, when attacked by the Indians there.

Q. How did your force usually compare with theirs; did you usually have more or less fighting men than they?—A. We had more after the time of the first two fights—the first one I spoke of when we fought all day without water, and the next day when we retreated; just after this, at one time, we could not get together more than twenty-five fighting men on account of the demoralization after the retreat.

Q. What was the comparison between your force and that of the Indians as to mount?—A. Well, it was altogether too small up to the time when we joined.

Q. I do not mean as to the number of horses, but as to quality?—A. O, it was very much better than theirs.

Q. You could travel farther in a day than they could?—A. Yes, sir.

Q. And keep it up for a longer time?—A. Yes, sir.

Q. Then, there was nothing to prevent your constantly hanging on their rear and flank?—A. They had this advantage: they were all the time stealing stock and getting a new mount.

Q. You didn't really have any trouble in encountering them whenever you desired to?—A. No, sir.

Q. If the pursuit had been kept up actively, and no time lost, could not they have been encountered nearly every day?—A. No, sir; not according to my judgment, except at the times when they were encountered.

Q. You speak of the demoralization of the men at one time during the pursuit; answer me this—is there any particular fear or dread on the part of white soldiers of encountering the Indians in fight?—A. No, sir; I think not; they started out from here with all the confidence in the world. That seemed to be the general feeling of the men—at least of all the men whom I heard express themselves on the subject. I form my judgment from what I heard others say.

Q. Did that feeling change at any time on their march?—A. Our first fight, that put a considerable damper on them; but the next time we struck them, the feeling that they had been worsted once before made them all the more anxious to fight them.

Q. Where was that?—A. At Sand Creek and Famished Woman's Fork, both.

Q. Was the result of those two fights favorable to your command?—A. There was nothing gained in the Sand Creek fight—and nothing lost, except time and ammunition.

Q. Were the men prodigal of their ammunition?—A. I did not mean to put it in that light. They wasted their ammunition simply in the sense that they used it up and accomplished nothing.

Q. Would it not have been possible to engage the Indians at close quarters?—A. It would have been *possible*.

Q. I mean *successfully*?—A. I think it would, if the proper arms had been given us; that was my judgment at Sand Creek. The engagement at Famished Woman's Fork I considered a successful one for us.

Q. That was where Colonel Lewis was killed, was it not?—A. Yes, sir.

Q. Was he in the advance when he was killed?—A. Yes, sir.

Q. Was he laboring under some little impatience in regard to the previous conduct of the campaign, which led him to expose himself?—A. I think so.

Q. He took an advanced position, and unnecessarily exposed himself? —A. I think it was unnecessarily; but I think he thought the men were more demoralized than they really were at that time, and that his personal example was required to bring up the morale of the command.

Q. At one time you say only twenty-five men could be gathered for fighting purposes; was not that evidence of considerable demoralization?—A. Yes, sir.

Q. What did that demoralization result from?—A. In the first place, from a want of water; the men had had no water for thirty-six hours. Next, from not being properly commanded by the officer in command of the companies.

Q. Had the Indians been without water for the same length of time? —A. Probably not; they were perfectly free to find water. Where they were located was at a spring—Turkey Spring.

Q. And from that you could not dislodge them?—A. No attempt was made to dislodge them; that was merely a defensive fight on our part.

Q. Who fired the first shot?—A. We did; we commenced on the defensive by firing the first shot.

Q. Are the white soldiers usually eager to go out as scouts, &c., involving the possibility of meeting the enemy?—A. Yes, sir.

Q. Lack of exercise, lying about the post, does not induce habits that hinder them from entering zealously upon such work?—A. O, no, sir; they are all the more eager to go out.

Q. They are generally good horsemen?—A. Yes, sir.

Q. And understand well the use of arms?—A. Yes, sir.

Q. In what way are the soldiers armed?—A. With carbines and pistols.

Q. What kind of pistols?—A. Six-shooting revolvers, Schofield's and Smith & Wesson's.

Q. With metallic cartridges?—A. Yes, sir; caliber .45.

Q. Have your carbines metallic cartridges too?—A. Yes, sir.

Q. There is no waste in their being carried?—A. No, sir.

Q. Are your soldiers as expert on horseback as Indians?—A. No, sir; there is no comparison.

Q. But the "impedimenta" of Indians is greater, is it not?—A. I do not know that it is.

Q. On this occasion they had their wives?—A. O, that was no impediment at all, but an assistance.

Q. Did they carry camp equipage?—A. No, sir; their home is on the prairie. They are as much at home on the prairie as we are when we are at the post. Prairie life is their natural life, and their women do all the work, and that leaves the entire force of men to do the fighting. Then their ponies are well trained, so that an Indian can shoot on horseback as well as on foot, and thus, in every respect almost, the Indians have the advantage of our troops.

Q. From your observation, do you hold the opinion that soldiers should outnumber Indians in order to be successful in fighting against them?—

A. Yes, sir; they should *greatly* outnumber Indians when sent after them to bring them back to an agency.

Q. I mean for the purpose of fighting them?—A. Well, there is not much gained by fighting them, for when they are whipped they will go right on again and do just as much damage as before.

Q. But killing them prevents those that are killed from doing any more damage.—A. O, yes, if you reduce the number, that is so much gained.

THOMAS DONALD.

FORT RENO, IND. TER., *August* 21, 1879.

THOMAS DONALD sworn and examined.

By the **CHAIRMAN**:

Question. Did you accompany the troops which pursued the Cheyenne Indians that went north last fall?—Answer. I did.

Q. In what capacity?—A. As a scout.

Q. State what you saw and what you learned of outrages committed by Indians in their journey north.—A. I saw about thirty people who had been killed by Indians.

Q. Men, women, or children, or all?—A. Men.

Q. What else did you see?—A. I saw the destruction of a great deal of property. I saw parties who had lost a number of head of horses and cattle, which had been killed; I saw signs where they had killed them.

Q. Did they destroy property about the houses that they passed?—A. Yes, sir; they took property out of houses—clocks, sewing-machines, and such things—and piled them up and burned them.

Q. Where did you see this done?—A. I saw it in Kansas, and possibly in Nebraska; mostly right along the line between Kansas and Nebraska.

Q. Did you learn of any outrages committed on women?—A. I heard of them from citizens living in that country; eight women were ravished, I think.

Q. As to those men you found dead, had their bodies been mutilated? If so, how?—A. One they partially burned; he was in a wagon; the Indians had attempted to burn the wagon and body, but they only succeeded in burning a portion of the stomach.

Q. Was he fastened to the wagon in any way?—A. He was left lying in the wagon; he had been killed before they set fire to the wagon.

Q. Did you see any other instance of mutilation—scalping, or anything of that sort?—A. No, sir; I saw none scalped. Some were very old men; some were young men. All the appearances indicated that they had been killed without a fight.

By Mr. **DAWES**:

Q. How many did you say you saw?—A. About thirty.

Q. Did you keep any memorandum of the places where you saw them?—A. No, sir.

Q. Could you tell from memory where you saw them?—A. Yes, sir; I think so; one man was found killed on Sand Creek; he was buried by the troops; that was the first one I saw; that is on the edge of Kansas, I think; I am not positive; the next I saw was on the Sappa and Beaver, and along that section of country.

Q. They were not, then, all in one locality?—A. No, sir; they were scattered all along the route through which the Indians had gone.

By the **CHAIRMAN**:

Q. Have you any means of furnishing an estimate of the number of cattle that had been taken?—A. From the minor trails that intercepted the main trail, we concluded that the young men would slip away from the main body of Indians, and go off and get stuff and come in. We estimated that there were probably about five hundred head of horses stolen between here and Platte River. The number that they dropped on the trail and that we found indicated that they must have stolen a great many to make up the loss; every day or two we would come upon fifteen or twenty head of their horses which had become completely played out, and had been left behind.

By Mr. **DAWES**:

Q. Did you overtake these Indians at any time?—A. Yes, sir.

Q. Where?—A. The first place was at Salt Plains.

Q. How far is that from here?—A. About a hundred and fifteen or a hundred and twenty miles.

Q. Before you get out of this Territory?—A. Yes, sir.

Q. Well, what happened there?—A. We overtook the Indians there. We had with us a Mexican Indian, and we sent him down to talk with them; he found they were preparing for war; they had their war bonnets on, and were maneuvering their horses; the Mexican Indian told them that our commanding officer had sent word that he wanted them to go back to the agency; they answered that they were not going back; they were preparing to fight; they said they were getting ready to clean out the soldiers.

Q. Did he reason any with them about going back?—A. They did not want to reason; they wanted to fight.

Q. Did they give any reason?—A. No, sir; not that I ever heard.

Q. How many were there of them, all told?—A. There was about a hundred and thirty, to the best of my belief and knowledge.

Q. Do you mean that many fighting men, or that many in all?—A. Warriors I am speaking of.

Q. Well, what occurred?—A. We had a fight.

Q. At what other point did you overtake them?—A. The next place that we overtook them was at Sand Creek.

Q. What happened there?—A. I was not with the party when it arrived there; I had gone on to Fort Dodge; I joined them that night; it was about nine o'clock that evening I got into the command; they had first attacked the Indians that evening before I got there; the next morning we attacked them again; we fought them all that day, and that night the Indians left. The next day we came back to an old camp, eight or nine miles, and then took up the trail of the Indians again.

Q. Do you mean to say you were fighting with the Indians all that day?—A. Yes, sir, skirmishing.

Q. How large was the command then?—A. I could not tell exactly.

Q. You can tell the number of companies?—A. Yes, sir; but the number of men in each company I could not tell.

Q. How many companies were there?—A. There were three companies of cavalry and one company of infantry; possibly two companies of infantry; I am not positive.

By Mr. **PLUMB**:

Q. What was the result of the first fight?—A. The troops got nicely licked; whipped, perhaps, would be a more respectable word.

Q. In regard to those eight women that you spoke of being ravished, what further did you learn about them, and how did you learn it?—A. I have a letter from a party living right there, giving a full statement of the matter. I had heard before that there were a number ravished, but not the exact number; and this friend wrote me a letter afterward giving the number; he said there were eight of them.

Q. Did you hear of there being any girls ravished among this number?—A. Yes, sir.

Q. Did you hear their ages?—A. I was told that one was about twelve years old and the other thirteen or fourteen.

By Mr. DAWES:

Q. You heard that while you were up there?—A. Yes, sir.

By Mr. PLUMB:

Q. Did you hear that the Indians seized a woman and carried her along between them that way?—A. No, sir; I did not have much time to look around or to make many inquiries.

Q. You were not specially hunting up facts further than such as came under your observation or were given you by persons whom you casually met?—A. That was all.

Q. Have you had some experience with the Indians?—A. About twelve years.

Q. You know something of their mode of warfare with white soldiers?—A. Yes, sir.

Q. What do you say of the ability of our soldiers to cope with Indians man for man?—A. Take the Indians as these were and they had a great deal the advantage of the white soldier. They were better armed; they had the advantage of the ground; and they were lying for the troops.

Q. I mean generally; cannot a given number of white soldiers hold their own with an equal number of Indians when both have equal advantages?—A. I say a white man is equally as good a fighter as an Indian if equally well armed.

Q. Does not the government arm the soldiers as well as the Indians are armed?—A. Sometimes and sometimes not. In that case the Indians were well armed.

Q. Do you find among the men any particular dread of Indians as fighters?—A. I have scouted for troops a great deal and never hear the soldiers express themselves in that way.

Q. They are willing to tackle them?—A. Yes, sir.

Q. They do not get demoralized at the idea of fighting with the Indians?—A. No, sir; but they never before were called upon to fight when they had been without water for thirty-six hours, and were completely used up generally.

BEN CLARK.

FORT RENO, IND. TER., *August* 21, 1879.

BEN CLARK sworn and examined.

By the CHAIRMAN:

Question. State what your employment has been for a number of years past.—Answer. I have been in government employ all the time since 1868.

Q. In what capacity?—A. As scout, guide, and interpreter; part of the time as a scout, part of the time as a guide, but the most of the time as an interpreter; sometimes all three.

Q. Did you come with one of these bands of Cheyennes from their northern home to this point?—A. I came with the Little Chief band of Northern Cheyennes from Dakota to this place.

Q. You did not come with the first band, the Dull Knife and Wild Hog band?—A. No, sir; I was ordered from here to meet that band, and met them and came back with them from Persimmon Creek.

Q. You were not with them when the treaty was made with them to move?—A. No, sir.

By Mr. MORGAN:

Q. Did you know the Cheyenne Indians well, and were they acquainted with you and friendly toward you?—A. I was well known to them and knew them all; I was personally acquainted with the Southern Cheyennes for years before; the Northern Cheyannes I was not so well acquainted with, but I saw them occasionally and they all knew me by reputation.

Q. Were they friendly with you?—A. Yes, sir.

Q. Had they confidence in you?—A. They had, to the best of my knowledge.

By the CHAIRMAN:

Q. Go on and state your observations from the time you first met them; of their feelings and dispositions on the way down, and after they came here till they left.—A. I was not here when they left here; I was on the way down with the other band. When I first met them, at Persimmon Creek, they were criticising the country and expressing some dissatisfaction in regard to it as not coming up to what they had been told it was. Up to that time there was about as many buffalo as they had expected to find; there was quite a number of buffalo on Persimmon Creek and the Cimarron; and they thought that buffalo were pretty plenty. But they said the country was not very well timbered, and was very hot. They had heard rumors, too, of its being more unhealthy here than in the north, but they had no proof of that yet.

By Mr. DAWES:

Q. Who was telling you this?—A. Dull Knife's band.

Q. Where were they then?—A. At Persimmon Creek, about a hundred and ten miles from here. They appeared to have pretty good feeling all the time; they did not talk nor act as though they ever intended to leave the country; but they mentioned that it was not so well timbered as they had expected. Very soon after getting down here they began to express more disappointment. This was increased by the fact that there was considerable sickness among them. Then in all this country game was much scarcer than they had expected to find; they could find nothing except turkey and some antelope.

By Mr. MORGAN:

Q. At what spot were they located when they first came down here?—A. They camped first within a mile or a mile and a half of this post; shortly afterward they removed onto the side hill, about three miles from here, on higher ground, where they made their summer camp.

By the CHAIRMAN:

Q. What time of the year was it when they reached here?—A. It was some time in August.

Q. Well, go on with your story.—A. I saw nothing and heard no special complaints until the winter following the summer of their arrival here. Then they asked permission to go out on a buffalo hunt, and were permitted to do so; but the buffalo hunt was a failure. Some few of the Indians, more by luck than anything else, happened to find enough to subsist on; others did not come across any buffalo at all, and were brought to a condition very near starvation; they came into Camp Supply for assistance; some of them ate their ponies for meat—ponies that would have died. This was a great disappointment to them. They had been looking forward to that winter hunt with high hopes, not only of getting a great deal of meat, but of obtaining a good supply of robes to sell for money or to trade for other things, as they had always been in the habit of doing up north. In the spring, when they returned, there was a continual grumbling among them; they said they preferred the northern country; that nothing turned out to be as described; that they were not getting the rations they were told they would get; that they had been told they were to get larger rations, but instead of that they were smaller; the complained not only of the quantity being so small, but of the quality being very poor.

Q. Did this destitution extend to all the Indians, or only to a portion of them, the portion that subsequently went away?—A. They were all grumbling; but those who did not go away not so much as those who afterward did go.

Q. About what time did this grumbling begin?—It began more seriously than before—for they had all along been complaining to some extent—early in the spring.

Q. Did the party that subsequently went north separate itself from the others?—A. After a while they did, and encamped at some distance from the others.

By Mr. MORGAN:

Q. What portion of them took up with the Southern Cheyennes?—A. Some five or six hundred of them took kindly to the other Indians down here, and affiliated with them; three or four hundred of them did not, but were separated.

By the CHAIRMAN:

Q. Five or six hundred of the Northern Cheyennes took up with the Southern Cheyennes, and three or four hundred did not?—A. Yes, sir; they communicated very little with the others; they appeared to have no sympathies in common; in the councils that were held at the agency they did not agree together; they did not appear to have any love for each other at all.

Q. Go on; what occurred to increase the dissatisfaction?—A. Later in the spring the measles broke out here—the first time the measles had been among the Indians since they came to this agency.

By Mr. PLUMB:

Q. In speaking of the measles, please consider carefully the matter of date.—A. I am pretty sure about the date; that is my recollection. I was here when the measles broke out, and it runs in my mind that that was the time; it was unusually unhealthy at that date among the the Northern Cheyennes; I am quite sure that the measles was the main cause of their bad health.

Q. You are certain that it was after the Northern Cheyennes came down here that the measles broke out?—A. Yes, sir; I think I may say that I am certain.

By the **CHAIRMAN**:

Q. Did they complain of want of medical attendance and medicines?—A. Yes, sir, to some extent; but not so much as persons not being here might suppose. Many of them did not want attendance from white doctors; they relied on their own modes of doctoring—their own medicine-men. There were others who would send for our doctors and would take our medicines. There was a great deal of ague—dumb ague and the regular shaking ague. They were unable to get medicine for that disease; quinine especially was wanted, but was not to be had. The experience of the Southern Cheyennes was that that was the only thing that would do them any good. So the Northern Cheyennes, when they came down here and the ague got among them, began to rely upon it. It had a good effect in many cases, though sometimes it would stop it too quick, and it would come back again. But that medicine ran out. Then there was but one doctor, and he was not able to obey all the calls made upon him, and sometimes the Indians complained of that; they complained very generally of the unhealthy state of the country.

Q. How long before Dull Knife and his party left for the north did you leave to go somewhere else?—A. I left in the latter part of April—April 28; they left in September. I came back here on the 10th of December.

Q. Then you do not know anything that occurred just before they went away?—A. Asking me that question puts me in mind; now I remember. I was mistaken about the measles being here that spring, for I was here during the whole time of the measles; the measles were over before I left, Yet it seems to me it must have been that year. The most I remember about it is that I left about the 1st of May, and the measles were over before I left.

By Mr. **PLUMB**:

Q. Were the Northern Cheyennes here when the measles were here?—A. Yes, sir.

Mr. **PLUMB**. That is the main thing.

WITNESS. They were here, and very much afraid of the measles. All the mission children had them, and all recovered; they were attended by white doctors, and obeyed their instructions as to treatment. But in the camps they paid no attention to the doctor's orders; they would get convalescent, and go out in the cool evening air, and take cold and die.

By the **CHAIRMAN**:

Q. Do you think there was a sufficiency of rations issued to the Indians by the government?—A. My opinion on that point is that the rations were sufficient to keep them from starving, but not sufficient to keep them from suffering the pains of hunger. They were used to eating more meat than they got for rations; yet they got enough to keep them alive.

Q. In their own way of living they eat more meat than bread?—A. Yes, sir; and greatly prefer meat to bread.

Q. The result is, when they get rations of meat they go to work at once and use it up?—A. Yes, sir; and eat scarcely anything with it; and after that they eat what is left, and what they do not like as well as they do the meat.

Q. If they would do as white people do, eat bread with meat, would the rations then be sufficient?—A. I think they would; they might live pretty comfortably if they would divide it up in that way; but they never do.

Q. You, being absent from home for some time before they left, do not of your own personal knowledge know what occurred?—A. No, sir.

Q. When you returned, you came down with Little Chief and his band?—A. Yes, sir.

Q. Were you with them when they had the interview with the officers which resulted in their coming away?—A. I was with them when the interview with General Sheridan occurred. They had heard from General Miles that they were to come down, and he had sent them as far as Fort Abraham Lincoln, but with no definite orders. I was ordered to go to Fort Abraham Lincoln, and get some Indians that were there, and take them to Chicago. From there they were to be brought down here to join the Southern Cheyennes—it having been decided by the government that all the Northern Cheyennes should join the Southern Cheyennes down in this country.

Q. What expression of feeling did they give upon learning of that decision?—A. They expressed themselves dissatisfied; they said they would much prefer to remain in the North, in the Yellowstone and Tongue River country; they said if they could be allowed to remain there they would be willing to do anything the government would require of them; would scout for the government against its enemies, Indian or otherwise, or farm, or do anything else there; but they were very unwilling to come here. Still, they did not say they would not come; they said they would come if they had to. They were told it was the intention of the government to send them down that fall by railroad and steamboat; it was now November. They begged to be allowed to remain at Fort Lincoln until spring, and then be allowed to come down by land on their ponies; if the government would issue rations, they would rather furnish their own transportation, and come in that way, as it would be pleasanter and healthier than to be carried on cars and steamboats. This request was granted. General Sheridan said he would send me to come down here with them; they had asked for me to come down with them. When I went up there, in the latter part of the following April, I went for that purpose.

Q. You are well acquainted with Little Chief?—A. Yes, sir.

Q. He appears to be very much dissatisfied?—A. Yes, sir; very much. He does not talk like ever being satisfied, though he always says that he will not act as foolish as Dull Knife did; still he may say so, thinking he may not have to do it. He probably thinks it is policy to say so. I will tell you what he did do, on the way down. A couple of exciting events occurred that the young men would as soon have fought about as to have given up to, but he was the main instrument in preserving peace. At the disarming of the Indians at Sidney, and their partial dismounting at the North Fork of the Canadian by Clarence Mauck, they argued that they were very much wronged, as these arms had been given them after the partial surrender of their arms and horses to General Miles, in the spring of 1875. After that surrender and disarming and dismounting, they were armed and mounted again to serve as scouts, to reward them for valuable and faithful services, and told that they could keep their arms and also keep their horses to travel down to the Indian Territory with. They said they never had done anything to forfeit the good will of the government, and they thought that they ought to be allowed to retain their horses and arms as had been promised them.

Q. What number of Indians attach themselves now to Little Chief here, so far as you know?—A. After his arrival here about twelve families left him—expressed themselves reconciled to remaining in this country, never expecting to go back north. All the rest remain with him, still hoping to go back north some time. Then there are some thirty other families, of the first band of Northern Cheyennes that came down here, but who did not choose to break away with the rest.

Q. How many does that make under his leadership in all?—A. That makes about sixty-odd lodges that are under his influence and acknowledge him as their leader.

Q. They look to a return north yet?—A. Yes, sir; and if they thought they could go with the permission of the government, as near as I can understand, there would at least ninety families go back; but after hearing the decision of the Secretary of the Interior, a part of these families left Little Chief and gave up all hopes of being allowed to go north.

Q. Let me ask you this question: The importance of the chiefs is diminished somewhat, is it not, by the mode of distributing rations here?—A. Yes, sir.

Q. Do you suppose that that probably has anything to do with Little Chief's position on this question? Do you suppose he would rather have about him a body of Indians who would acknowledge him as their chief, and whom he could have more completely under his control than can be the case here?—A. I do not think that has anything to do with his feelings in regard to going back north. He has had more with him since he came than he had before the outbreak of 1878; long before he got here and saw the country, before he ever started, he was always in hopes he would be allowed to go back.

Q. Did he claim that it had been promised him that in case this country did not suit him he would be allowed to return?—A. He claims that General Miles told him that. I was interpreter for General Sheridan, and Sheridan did not tell him that; he told him, on the contrary, that the government intended to remove all the Northern Cheyennes down here to stay, and make their home henceforth with the Southern Cheyennes.

Q. This interview with Sheridan was after their talk with Miles?—A. Yes, sir.

Q. State what promises General Sheridan did make them, if any.—A. As near as I can remember, he told them that this was a fine country for Indians; that there was still considerable game here; that they would be allowed to hunt; that the country was a large one, and one that they could promise more safely would always be set apart for the Indians, and would not be taken up by white men. Up north, he said, it was only a question of time when the whites would take the whole country away, as they had taken the Black Hills away. He said the government had decided that it was for the interest of the Cheyennes to remove. He said he liked the Cheyennes especially, and would like to do what would be best for them. They mentioned to General Sheridan about having these arms that General Miles had given them, and asked him whether they would be allowed to retain those arms. The General told them that when the arms had been given them with these promises they would be allowed to keep them. Then they mentioned the horses that General Miles had given them, and General Sheridan promised that they would be allowed to keep them also. They had a lot of other things which they had captured which the General said should not be taken away from them.

By Mr. PLUMB:

Q. Captured by these Cheyennes, while in the service of the government, from hostile Indians?—A. So I understand. A part of them were what they had surrendered themselves, that afterwards were given back to them. Their arms were given back to them in order to rearm them, to act as scouts for the government, but most, if not all, of those arms had been captured by them, while acting for the government, from the hostile Nez Percés and Sioux.

By the CHAIRMAN:

Q. What kind of arms were they?—A. Springfield rifles and Sharps carbines, generally.

Q. Will you give the committee whatever opinions you may have as to the best means of inducing Indians to become self-supporting, whether by farming, herding, or both; speaking of all the Indians on the agency?—A. I have been thinking a great deal about that, for a good while. I think this country is particularly adapted to stock-raising. I think the Indians of this country would take more kindly to stock-raising than to any other means of supporting themselves. They are raised from boyhood up to be herdsmen—herding their horses. There is plenty of grass here, a good range for cattle. The cattle would not require to be fed, winter nor summer. There is no need to cut hay for cattle.

Q. Herding is in accordance with their previous habits?—A. Yes, sir; the young men are brought up to that occupation. The two occupations of their life are hunting and herding.

Q. And farming is opposed to their habits?—A. Yes, sir; they have always been a nomadic people, accustomed to roaming here and there. The Cheyennes, and other Indians on this reservation, are not like some of the Eastern Indians, who dwell in permanent villages. They have been accustomed to roam over a country of several hundred miles, following the buffalo and changing camp.

Q. Is it your opinion that any great change can be made in the habits of the older Indians, or those of middle age and upwards, or will these have to die out and a new race come up?—A. I think a new race will have to come up before there is any very radical change. The old men are, many of them, willing to have a change, but do not want to be active in the change. They are satisfied to have plenty to eat and smoke. Men who are now twenty to thirty years old cannot get over their old ideas, thinking any kind of work like farming is degrading—only an occupation for women, of which men are ashamed.

By Mr. DAWES:

Q. Is it your observation that the Indian women themselves oppose the men going to farming?—A. Yes, sir; especially the young men. The women are ready to blister their hands, and work themselves to death, to save the young men from the disgrace of working.

Q. Is this the notion of the women themselves?—A. Yes, sir; any mother who has a son twenty or twenty-five years old, would think it degrading for him to go out into the field and hold a plow. She would rather work herself to death to keep him dressed up in the old style, with beaded moccasins and strouding leggings, and carry a lance and bow and distinguish himself in hunting.

By the CHAIRMAN:

Q. But a considerable number of these Arapahoes and Southern Cheyennes have made improvements, we are told?—A. Yes, sir, some of them; they have found out that in order to live at all they must give up their former roving habits, and adopt the white men's mode of living. There is no hunting in all this southern country sufficient to support them without the aid of the government. There is nowhere that they can go but that the government can get around them and force them in. They did think that the Staked Plains would serve as a place of refuge for them, for years to come; but they have discovered their error in regard to that, and have now come to understand very well that there is nowhere that they can go that the government cannot lay its hand upon them.

Q. Since when has this notable change come about?—A. Since the war of 1874.

Q. Is it your observation that the disposition on the part of the Indians to take up the little farms, or patches, is extending and increasing?—A. Yes, sir; it is increasing, and it will continue to increase, especially among the southern Indians, if they do not have any serious failure; if the seasons do not get so bad that all their year's labor results in nothing; anything of that sort would disappoint them so that they would never want to undertake it again.

Q. What do you think of a change of policy in this direction: Saying to these Indians, in substance, wherever a family will go out and take up for itself a piece of land, the government will deliver to the head of that family four or five cows, with which to commence raising cattle; do you think that would tend further to increase still further this disposition?—A. Yes, sir; I think the tendency would be in that direction; but I think it would result about as well to speak about the cattle alone; to give so many cattle to each family, and let them bunch them up to suit themselves—five, ten, or fifteen families together, here and there. This would almost of necessity result in their wanting to select places, and they would finally settle on pieces of land, and raise a little in the way of crops, here and there.

Q. Would they be apt to keep these cattle, and raise other cattle from them, or would they kill them and eat them when they got a little beef-hungry?—A. I think they would keep them, as a rule, after having a thorough understanding of the intention of the government in giving them these cattle.

Q. Would it increase the probability of their keeping the cattle, to have the Indians make an agreement, a promise on receiving them, that they would not slaughter them?—A. I think they ought to have that understanding, have it explained to them thoroughly, before doing any such thing.

Q. And that failure to comply might bring with it some unpleasant consequences—stoppage of rations, or something of that sort?—A. Yes, sir.

Q. How is it about their keeping promises of that kind?—A. They do not consider such promises very binding; but if they thoroughly believed there was a purpose on the part of the government to stop their rations, or inflict some other penalty which it was in the power of the government to inflict, it would have a strong tendency to restrain them.

By Mr. MORGAN:

Q. I understand you to say that you came the last part of the journey with the first band of Northern Cheyennes—the Dull Knife band?—A. Yes, sir; I met them at Persimmon Creek, a hundred and ten miles from here, and came back here with them.

Q. Did you discover that they had arms?—A. I did.

Q. What kind of arms?—A. They had many Springfield carbines, such as the cavalry use now. Then they had Sharpe's rifles, and Winchester rifles, muzzle-loading guns, pistols, revolvers, &c.

Q. Do you know what they did with those arms after they got down here?—A. I suppose they were allowed to keep them.

Q. Do you know whether they were or not?—A. I do not remember of their being compelled to give them up.

Q. How was it about ammunition?—A. I saw a good deal of ammunition among them, I remember; a good many of them wore belts, with cartridges in them, in sight.

Q. How were the Little Chief band, that you accompanied down here, supplied with ammunition?—A. I got permission at various points to draw ammunition and issue to them, for the purpose of hunting.

Q. Do the Indians ever prepare their beef as salted meat?—A. No, sir; buffalo eating Indians never cure their food in that way.

Q. Do they use much salt in their food at all?—A. They have been in the habit of using this natural salt of the plains, more or less.

Q. Do they use it regularly in their diet, or only at intervals?—A. Only at intervals; they seem to get salt-hungry once in a while; ordinarily they do not use it, in cooking or otherwise. When they use salt at all, they generally take rock-salt, and in boiling meat take a little of the beef-tea and dissolve the salt in it, and dip their meat in the salt broth.

Q. Do you know much about the school children?—A. Very little; I have been in the mission two or three times since I have been here.

Q. As far as you can judge, are they improving in knowledge and becoming civilized?—A. I think they are improving some, but I think very slowly. I have no way of knowing much about that, but in my meeting with the children I have not heard any of them speak English at all.

Q. Are the Indians averse to having their children speak English?—A. No; but the children appear to be averse to it themselves; they seem to be ashamed, thinking that they do not speak it properly; the sister of George Bent can speak English pretty well; but she will never talk any English to me, nor to anybody else that she thinks can understand her native tongue.

Q. After Little Chief came back from Washington, did you observe any change in the opinions or conduct of his people? Did they still talk and act as if they expected to go away, or did they appear to become more reconciled to their fate?—A. I observed that a portion of the Northern Cheyennes, when they found out what had been the decision of the government, talked and acted as if they had given up all idea of going back north. But Little Chief said before he got here that he had understood that an election took place every five years, when a new President was elected, and he said that he hoped under another administration his application might be more successful, and that he might be permitted to go back north. He asked me if this "Big Eyes"—that was what he called the Secretary of the Interior—would be changed, too, when the new administration came in. I told him I thought he would. He said he thought his chances would be better then; he said he thought it would be better to have a thorough change in the government and try a new party. That was actually an idea of his own—about there being more hopes for him under a new administration.

Q. What did they mean by "Big Eyes"?—A. That is the name Little Chief gave the Secretary of the Interior, referring to his organs of vision.

Q. Because he wore spectacles?—A. They did not refer to his spectacles, but to the fact that his eyes looked large.

By Mr. DAWES:

Q. Is that the name they apply to the Secretary of the Interior generally?—A. No, sir; only to the present Secretary. The Indians give names to persons generally from some peculiarity; and they noticed his eyes. They soon get up a name for any person whom they have much talk with, or contact with.

By Mr. MORGAN:

Q. What is the name, in the original Cheyenne language, corresponding to "Big Eyes"?—A. It is "Mah-hah' Ich' hon"; "Mah-hah'" means "big," and "Ich'-hon" is "eye."

Q. When Little Chief and his band were at Fort Abraham Lincoln, were they at an agency?—A. No, sir; they were at the post; there was no agency there.

Q. How were they supplied with food?—A. They were fed by the military there.

SEBASTIAN GUNTHER.

FORT RENO, IND. TER., *August* 21, 1879.

Capt. SEBASTIAN GUNTHER sworn and examined.

By Mr. DAWES:

Question. Were you connected with the forces that pursued the Northern Cheyennes when they broke out in the fall of 1878?—Answer. Yes, sir.

Q. I understand that you were in command of one company?—A. Yes, sir.

Q. Will you go on and state in narrative form what transpired during that pursuit?—A. On the evening of September 5 the information was received at this post that some of these Northern Cheyennes had left the reservation, or were about to leave. Two companies of cavalry, of forty men each, were sent out, and the order was given, because it was now already night, to go near the Indian encampment, and encamp there for the night; and in the morning, if the Indians had left, we were to follow their trail, and pursue them, and bring them to this post. The next morning, when we came near the Cheyenne camp, we sent some scouts in front; these scouts came back and reported to us that the Indians were all there. The commanding officer, who was in command of both companies—his name was Major Rendlebrock—turned back toward the post. After we camped within three miles of the post, Major Mizner sent word that we should return and encamp up near the Indians. At this the commanding officer crossed the river again, and we encamped within between eight and nine miles from the post. From what I learned afterward, the Indians left that place and moved right across into the sand-hills, and fortified themselves.

Q. Where are those sand-hills?—A. They are about twelve or thirteen miles from here, on the banks of the Canadian, the north side. After it was ascertained that the Indians had moved and fortified themselves in the sand-hills, the commanding officer of the expedition sent Lieutenant Wilder to this post, notifying the commanding officer here that the Indians had moved their camp and were in the sand-hills, and had fortified themselves there. Major Rendlebrock requested that artillery be sent out, as we would have to shell them. Lieutenant Wilder returned, I cannot tell whether that same night or the next morning, without artillery. That was on the evening of the 8th of September.

Everything was quiet then for awhile. A great many Indians came into our camp, all well armed. Some had as much as two belts stocked with ammunition.

On the morning of the 10th of September Lieutenant Wood came out with a wagon and five days' rations for the whole command. He also brought information that the Indians had left the night previous, and orders that we should pursue them immediately. The rations were immediately divided and packed on pack-mules. In about an hour we found the trail. The trail first led across the river, to the south side of the river. Then they marched eight or nine miles on this side. Then they crossed the river again and took a northwesterly course. They traveled through the brakes of the Kingfisher, a very rough country. After coming to the head of these brakes they crossed the prairie and crossed the Cimarron. Then they halted on the north side of the Cimarron, at a place called Turkey Springs. There we found them on the 13th of September.

When we approached the rough country, where the Indians were supposed to be, we heard a loud voice in the cedar brake. It was the voice of an Indian. Then we were sure that the Indians were near there. As soon as we got over a very high knoll, over the broken country we could see the Indians, about a mile the other side of the ridge. We approached to within half a mile of them, when we were in between two cañons. After we got in, we found ourselves surrounded by the Indians. They were already lying in the cañons, waiting for us, although a majority of the Indians showed themselves a quarter of a mile further up, on rising ground. Some few Indians then rode within two hundred yards, backward and forward, as all Indians do before a battle. The commanding officer of the expedition sent out an Arapahoe scout, to find out whether these Indians would surrender. In fact, he ordered the Arapahoe scout to go out and urge the Indians to surrender and come into this agency peaceably. The Arapahoe went out, and was not satisfied with telling them that they should come into the reservation again, but he threw up his blankets, and made different Indian signs for them to come in, and the commanding officer would like it if there would not be any fight. They sent word back that they were ready to fight, and that they would fight; that they would not come back to the agency.

So the battle commenced. We fired first. The instant we fired, the Indians fired from the two cañons right and left of us; and also from our rear; there were two cañons in our rear. In fact, we were nearly surrounded. We fought the Indians there all day. We could not make any advance on them, because it was a very rough country, and they held all the advantageous places. In short, we found that the Indians were too strong for us. So we were lying there in line of battle all that day, and all that night, until the next morning, about seven o'clock. We had been without water all day and all night, and had had bad water the day previous; so the commanding officer was compelled to fall back. We fell back about five miles, the way we went, but not more than three miles in a straight line, where we found water. The commanding officer had an idea that we would have to fall back fifteen miles to where we had encamped two days before. We were lying there all day. We fixed up the drags for the wounded; we had three wounded men.

On the morning of the 15th we started for Fort Supply. We had no doctor along with us; and, besides, all the officers were of the opinion that we were not strong enough to fight the Indians, and that we ought to get reinforcements, at the same time turning over the wounded at that place.

On the morning of the 17th, a detachment of forty men was sent out from Fort Supply to find a company which had been sent out before, and was expected to be all cut off from us. But this company could not be found. So the next day the balance of Major Rendlebrock's command went out and took the same road, and traveled toward Fort Dodge. We found the detachment which had been sent out the day previous, at the Cimarron River. The commanding officer of that detachment was Lieutenant Wood. He reported that he could not find the missing company, and that from what he could learn the company had probaly gone to Fort Dodge.

The next day we took up the road for Fort Dodge. When we came within twenty-five miles of that post we were met by two couriers, who had been sent out by Colonel Lewis, who was in command at Fort Dodge. The couriers brought us word that the Indians were very strong, and had shown themselves at the head of Sand Creek; and that Captain Hemphill and that same company that started from Camp Supply, and a company of infantry, had gone up on the railroad, and would cross the Arkansas at a place called Cimarron Station, and from there would move down on Crooked Creek and meet us. When this order was received it was night already, and the commanding officer of this expedition went into camp near some water-holes.

The next morning we struck across in a southwesterly direction, and found one cavalry company and the infantry company near Crooked Creek. I would here like to state to the honorable Senators that if they should desire me to give the exact dates of all these marches, I should have to refer to my memorandum book.

The CHAIRMAN. That does not matter particularly.

WITNESS. Well, we arrived at Sand Creek—I remember that date—on the 21st of September. The evening after we got into camp the Indians came in force and attacked us. When the command was started out to face the Indians it was within half an hour of sunset; dark came on soon, and the Indians dispersed.

The next morning the commanding officer tried to find the trail of the Indians; and after marching about a mile we found it. We marched on about seven miles, and found the Indians in number on one of the branches of Sand Creek. Our column was made up, and an attack was immediately made upon them. But the Indians were very strongly fortified; they were all in rifle-pits. We fought them there all day, but without success. In the evening we withdrew, and went into camp about a mile and a half below, at a place where we could get water. The next morning, early, some citizens, who had come along with us, went up near the place where we had had the battle the day previous, and after a while came back with the report that the Indians had left.

By Mr. DAWES:

Q. What day was this of the battle on Sand Creek?—A. It was the 22d of September. On the morning of the 23d we again started in pursuit of the Indians; we followed their trail all day and at night camped on Crooked Creek. Next morning we took up the march after them again. We found where they had crossed the Arkansas about seven miles above the town of Cimarron. On that day Colonel Lewis, with two companies of cavalry and one company of infantry, joined the command that Major Rendlebrock had commanded and took command of the whole.

Early the next morning, after Colonel Lewis had joined the command, we again took up the march. After two days' marches we found the Indians in a very rough country, at a place called Punished* Woman's Fork. At first we camped within a mile of where we afterward found the Indians. We found evidences that they had camped there the night previous. In fact, there were all the signs that they had left there but three or four hours before. After we had come about a mile farther, the Indians appeared about eight hundred yards from us on the bluffs in numbers and fired on us. We were then in a narrow valley or ravine. The left-hand side was protected by high bluffs and the right-hand side by a very boggy creek. The Indians then made the first attack. Our command was immediately deployed, but the time was a little limited, and when we got within a hundred or a hundred and fifty yards of the Indians, or where they had been, all fortified within stone works, it got to be very dark, and the night was very stormy. At that time Colonel Lewis had already been wounded and brought back with the ambulance to the rear. Major Mauck took command of the whole party. He concluded he would keep the troops there all night, in order to make the Indians surrender the next morning. But there was one company of infantry, which had got there too late, on the other side of the cañon, where the Indians had been, and the commanding officer was of the opinion that if he should leave the troops there all night, in case there should be any firing, it might lead to a mistake between ourselves, as we were facing each other and only about two hundred yards apart.

The next morning we found that the Indians had left. A great many horses had been killed in the cañon the evening previous, and a great many packs had been left there on account of the horses having been lost. The property was immediately destroyed, and the pursuit after the Indians was taken up again. We followed them clear above Sidney, Neb. But Major Thornburg, who had been sent up from Fort Wallace, was in our front with fresh animals, and our orders were, to find the same trail that Major Thornburgh was on, and after we got a little north of Sidney Barracks, Major Mauck, who was in command of this expedition, received information that during the night the Indians had scattered among the sand hills in front of Major Thornburgh, and that he could now use his own discretion as to what further to do. The horses we had about half of them had given out, and he concluded that it was impossible to catch up with Major Thornburgh's command, so he went into Sidney Barracks.

By Mr. DAWES:

Q. That terminated the pursuit?—A. Yes, sir.

Q. State what evidences you saw of outrages committed by Indians upon the citizens.—A. We buried one man who was at the head of some cattle men on Sand Creek; that was where we found the first dead man. I did not see him myself, but the commanding officer sent him up to the soldiers, who buried him. We saw no more dead men till we came to the Sappa Valley. There I saw in one place, about fifty yards from a house, three bodies; they were lying about as close to each other as the length of this table. It looked to me as if they had been at work down in the field, near by the house, and had started to run for the house, when the Indians had cut them off and killed them. One of them was shot through the forehead; the next in the right or left eye, and the third was shot through the breast. From the shooting, it looked as if they had been surrounded and shot by men who were very close to them.

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* Observe that the other witnesses called this "Famished Woman's Fork."

Within a half a mile, or probably within six hundred yards, of where we found these three bodies, we found three little children, who were in their night-clothes; the oldest was about eight years old, and she was taking care of the youngest one; she reported that her father had been killed and she did not know what had become of her mother. Major Mauck immediately ordered a few scouts, who were with us, to take these children back to some houses which we had passed the day previous. Several other persons were reported killed by the scouts.

Q. How many in number, do you think?—A. The first report when we went up was that there were forty-two persons killed, but by the time we came back, we heard that the number was only twenty-three.

Q. Did you see any evidences of females being outraged?—A. No, sir; the scouts asked some of the women about that, and they partly acknowledged that they had been outraged.

Q. Did you see any evidences of the destruction of property?—A. Yes, sir; a great deal.

Q. What were they?—A. At one house, or not far from it, I saw three dead bodies; that house was completely ransacked; there was not a chicken, dog, cat, nothing whatever left alive; all the feather-beds and furniture had been destroyed; so was the flour and other eatables which the family had had in the house.

Q. Did you see any evidences of cattle-camps being plundered, stock stolen, or horses taken?—A. Yes, sir; the report was made to us that they had gathered up and stolen all the stock in the country they passed through.

Q. Can you state, as an officer of the Army, what was the difficulty that you did not bring those Indians back?—A. In the first place, the first difficulty, in my opinion, was right at this post; the force here was not sufficient; we had not enough troops here; if we had had more troops we could have held the Indians right out here where they had fortified themselves.

Q. You mean to say one reason of the failure was there were not enough troops in pursuit?—A. Yes, sir; there was not sufficient force sent out after them.

Q. Do you mean to say that all the force was put in pursuit that could be spared from this post?—A. From this post I think a few more men could have been sent. The order was first given for forty men to each company to go out. I had some few men here that I suppose could have been spared.

Q. Was the pursuit, under all the circumstances, followed up with vigor on the part of the Army?—A. It was, after Colonel Lewis took command; he had five companies of cavalry and one of infantry. In fact, it was before; we made marches to and from forty-five and fifty-five miles a day.

Q. Is there anything more you would suggest to the committee?—A. I would like to suggest to the committee that this post should be increased; we need more troops here. If any Indians should attempt to break out again, the same thing will occur over again.

Q. Is it your opinion that there is any danger of an outbreak here now?—A. I do not apprehend any danger this year.

Q. Are the Indians any more contented than they were a year ago? —A. I think they are; still, the discontent among the Indians is always here; it always has been here; and I have no doubt it always will be here; no matter how much food they get, they are discontented; the Northern Cheyennes particularly, because they want to go back to the country where they were born and raised.

Q. Did they give any reasons for their dislike of this country?—A. The reasons I heard from the Indians themselves were, that they had lost so many men down here by death; it was too sickly here, they said, and the country was too hot for them; then they wanted to go hunting, and they did not find much game in this country. These were the reasons they gave me.

Q. Did you hear of any other reasons?—A. They complained that they did not get sufficient food; but the Indians complain always about that; if an Indian has food, five or six pounds of beef a day, he wants ten pounds a day.

By Mr. MORGAN:

Q. Would it be possible to take artillery with you on the pursuit?—A. From here up to the brakes it was impossible.

Q. Could you not have taken a Gatling gun?—A. No, sir; the Indians were traveling in the worst country to be found; we could take no wagons, not even light wagons, with us; at the place where the troops found them, they were in a regular natural fortification; and all the way going up they selected the roughest, most broken country to be found.

THOMAS B. CHASE.

FORT RENO, IND. TER., *August* 21, 1879.

Dr. THOMAS B. CHASE sworn and examined.

By Mr. PLUMB:

Question. In what capacity are you employed, and how long have you been stationed here?—Answer. I have been here since February, 1877; I have been employed part of the time as post surgeon, and a part of the time as assistant surgeon.

Q. Have you had any knowledge of the Indians in this neighborhood, especially the Northern Cheyennes, since that time, as to their health?—A. I know nothing except by hearsay.

Q. What has been the general understanding?—A. The general understanding is that there has been a great deal of sickness among them.

Q. What kind of sickness?—A. Mostly malarial.

Q. During this sickness what medical force has there been to take care of the Indians?—A. There has been only one doctor.

Q. Do you know anything about the condition of the medical supplies, and especially of supplies of the character proper for the sickness that prevailed?—A. They were very deficient; the doctor had not the most common medicines needed. He had no quinine. I was over there several times, and the doctor had scarcely any at all.

Q. For what length of time was he out of medicines?—A. The precise time I could not state; but I know it was for several months.

Q. When was this?—A. It was last year—1878.

Q. Prior to the time when the Northern Cheyennes escaped?—A. Yes, sir.

Q. State whether the doctor at the agency ever made application to the post here for medical supplies?—A. Yes, sir, frequently; we helped it all we could.

Q. And after you had helped, was he still deficient?—A. Yes, sir; he was still deficient.

Q. State whether one surgeon at the agency is sufficient for the medical care of five thousand Indians.—A. No, sir; he is not. They now have two surgeons; but then they had only one.

Q. State whether at any time you were ever called over to the agency for the purpose of making a report on the condition of the medical supplies; and, if so, when it was?—A. It was in June or July of 1878.

Q. Prior to the Northern Cheyennes going off?—A. Yes, sir; some time prior to their going off.

Q. Had the deficiency then been existing for some time?—A. Yes, sir.

Q. Was this absence of medicines during the sickly season of the year?—A. Yes, sir.

Q. What diseases were then mostly prevalent?—A. Principally malarial diseases.

Q. Do you know that the doctor refrained from visiting the Indians because he was out of medicines?—A. Yes, sir; he frequently locked up his office because he had no medicines and went away, because he did not want to be called upon by the Indians when he could do nothing for them.

Q. Do you know what the result was of this examination and report made by yourself and Dr. Hodge jointly into the amount of medical supplies at the agency?—A. The result was that we found very few medicines of any kind, and none at all of the kinds worst needed.

Q. I mean, do you know whether it was followed by any action on the part of the department?—A. I do not know that it was; certainly not by any immediate action.

Q. Do you know when he received a supply of medicines?—A. I asked him several times whether he had yet received his medical supplies, and he told me no. I think I have since understood that he obtained them in January of this year.

Q. Did he tell you that he had made previous requisitions for medical supplies?—A. Yes, sir; he told me that he had frequently done so, and could hear nothing from them.

Q. Was there any chance to purchase medical supplies in this vicinity?—A No, sir; none at all.

Q. Did you know, by personal inspection of the premises, that he was out of medicines?—A. Yes, sir; I saw that he was out.

Q. What amount of medical assistance, what number of persons, would be necessary for the number of Indians at this agency?—A. I should think at least two surgeons and a steward—two or three surgeons.

Q. State whether there is any steward at the agency.—A. There is not; the doctor has been obliged to put up his own medicines and do all the work.

FORT RENO, IND. TER., *August* 21, 1879.

J. D. [illegible]LES recalled.

By Mr. PLUMB:

Question. I asked you whether beef had been provided for this year in full. You said it had not, though the precise percentage that was lacking you did not know.—Answer. No I do not. This year we have fifty thousand dollars more than last year for the three agencies.

Q. I want you to identify Form C, and see if it is a correct statement?—A. I presume it is all correct; it was prepared by my clerk in my office.

Mr. PLUMB requested to have this document made a part of the testimony, and it was so ordered. (See Appendix, Exhibit "E.")

By the CHAIRMAN:

Q. Do you believe the statement dated September 29, 1878, and contained on page 50 of the report of the General of the Army to the Secretary of War for the year 1878, to be correct?—A. It was prepared in my office, by my clerk, and I believe it to be correct. (See appendix Exhibit "G.")

By Mr. MORGAN:

Q. I want to call your attention to one other complaint made by the Indians. They say that a certain description of goods furnished them were of very inferior quality.

WITNESS. Did they specify any particular kind of goods?

Mr. MORGAN. They were wool goods, or something of that sort, furnished for clothing, I understood.

WITNESS. We have had a great deal of Kentucky jeans; if a merchant were here he could give the exact names better than I can; they are good for the purpose for which they are intended, but they are not goods that can be strongly recommended; it is an all-wool light-blue cloth; they have it at the Hampton school. This that they get at thirty-five to forty-three cents per yard is by no means so good as that.

Q. Does the government buy that or the Indians?—A. The government.

Q Have you ever had any of the goods of the description called "shoddy?—A. I would not want to call this "shoddy"; it was a fair quality of mixed goods—linen woof and woolen warp.

Q. Is it made of the real fiber of wool, or of wool that has been made into cloth before?—A. Of the real fabric, I think; yet they do make a shoddy of the cheapest, poorest kind; the moment you put your hand on it you can tell it.

Q. There has been a good deal of complaint that the goods will not wear.—A. They have not called my attention to it; I had supposed they were wearing well; it is not as good as a ninety-cent piece of goods of course.

Q. While not the sort of goods you can recommend, you think it a fair article for the price the government pays?—A Yes, sir; it is the best wearing goods we have except this Kentucky jean.

Q. And no complaints have been made by the Indians?—A. Not to me.

By Mr. DAWES:

Q. Would it be a great deal of trouble for you to furnish the actual issues of supplies from this agency to the Indians for each week of the fiscal year ending June 30, 1879?—A. It will take some time, but if you desire it I will make out a statement and furnish it to you. (See Appendix, Exhibit "L.")

Q. You testified that during the last year you had issued rations to the Indians in accordance with the treaty requirements; then for the past year there has been no deficiency?—A. There has been no deficiency *in beef*.

Q. From what supply was that supply obtained by you; solely under the contract for the year, or from that contract and other sources?—A. It was received from the Calvin Hood contract; it amounted to 4,784,078 pounds—just 1,000,000 pounds less than the statement.

Q. Why did you not receive the full amount set forth in the statement?—A. We did not call for it because we did not need it, having a million pounds, or enough to last us two months or more, left over from the preceding year.

Q. One million pounds obtained in that way with the supply already running made up the supply of beef?—A. Yes, sir.

Q. Do you remember when Colonel Mizner, within ten days after the outbreak, wrote to the Army officers representing that there was a deficiency, or that there would be a deficiency, of rations here, and that the contract required a supply of beef that would be sufficient for only about two-thirds of the year? You are aware of the fact that he did so write, are you not?—A. I was not aware of it.

Q. Did he never call your attention to the fact that he had written a letter to his department on that subject?—A. He may have done so; but I do not now remember it.

Q. He did write such a letter; and we understand that you furnished the information contained in that letter; that you and he bacame anxious in view of the inadequate provision made for the year; according to his statement, if the contract were fulfilled according to its terms there would still be about one-third of the year unsupplied?—A. I gave him the face of the contract; but, at the same time, I showed him that the contract required the contractor to furnish, if called for, twenty-five per cent. additional. The twenty-five per cent. additional *was* called for, and there was still left a deficiency which was supplied by a million pounds saved on the previous year's contract.

Q. Do you wish to put in, as a part of your testimony, that you got not only the face of that contract but twenty-five per cent. extra?—A. Yes, sir; and a little over, because I could not divide the cattle.

Q. How much over?—A. About a million pounds in the contract for the present year, which required a million pounds delivered in May and June, 1879.

Q. And that furnished you how much?—A. Five million six hundred and eighty-seven thousand pounds, or about that.

By Mr. MORGAN:

Q. When was the contract for the present year made?—A. I think May 24, 1879.

By Mr. PLUMB:

Q. I will ask you whether up to that time you continued to issue, and had on hand to issue to the Indians, full rations of beef every week?—A. Yes, sir.

By the CHAIRMAN:

Q. Are you required by the department to send estimates for supplies of provisions yearly?—A. Yes, sir.

Q. Can you tell what your estimate was of beef for the year ending June 30, 1877?—A. I am sorry that I did not stick that into my book; I estimated, but I do not remember what the estimate was. I could furnish it to you if I were in my office.

Q. In making that estimate, did you estimate for three pounds or four pounds of beef per day for each person?—A. I do not remember; I know I estimated for four pounds last year.

Q. Do you remember how much was contracted for for the year ending June 30, 1878?—A. I do not now.

Q. Do you know how much was actually purchased that year? Sometimes you make a contract for a certain amount with the privilege of taking twenty-five per cent. more; when I ask how much is contracted for, I mean contracted for absolutely; and when I ask how much is actually purchased, I mean that to cover twenty-five per cent. more if it is actually brought in. Now, how much was actually purchased during the year ending June 30, 1878?—A. I do not remember.

Q. Did you issue the whole amount received up to June 30, 1878?—A. I did not.

Q. Why not?—A. The Indians went out on a hunt and did not require it.

Q. What was the amount of the excess?—A. I cannot state exactly from memory; but I think about seventeen hundred head of cattle.

Q. Was the excess carried to and issued during the next year?—A. Yes, sir.

Q. How much beef did you estimate for during the year 1878-'79?—A. I cannot remember, but will furnish a statement if you desire it.

Witness was requested to furnish the statement, and afterward did so. (See Appendix, Exhibit O.)

Q. What was the basis of your estimate for 1878-'79?—A. How many Indians and what allowance to each Indian.

Q. For how many Indians did you estimate?—A. For 5,004; but Little Chief's band increased that.

Q. At three or four pounds gross per Indian?—A. I cannot remember which.

Q. Why did you estimate for more, the gross amount, for 1878-'79, than for 1877-'78?—A. Because I had more Indians.

Q. Did it enter into your calculation that there would be no hunt?—A. Yes, sir, it did; I made no reliance on the hunt.

Q. How was the excess over the amount contracted for obtained?—A. We were in excess seventeen hundred head of cattle on the first day of July, 1877. Then, in addition to the amount contracted for, the Commissioner took in the twenty-five per cent. and was authorized to take in; and in his contract for the present year he provided for the million pounds delivered in May and June for the last fiscal year.

Q. Was the buffalo hunt of the winter of 1877-'78 a failure?—A. Yes, sir.

Q. Was that, and the known want of buffalo to hunt, the reason why the hunt did not take place in 1878-'79?—A. Well, there were a very few Indians went to hunt, but they did not amount to anything. Stone Calf's band went out beyond Camp Supply and got a few head.

Q. Was the knowledge that the buffalo hunt of 1878-'79 must fail a controlling element in your making your estimate for that year?—A. Yes, sir; on their last hunt the Indians lost more by the death of ponies than they gained in buffalo.

Q. If the quantity of beef contracted for for 1878-'79 had not been increased in some way, would there not have been a deficiency that year in beef?—A. Yes, sir.

Q. Even with the twenty-five per cent. additional which the Commissioner had the right to call for, there would still be a deficiency of a million of pounds but for the contract for the present year?—A. Yes, sir.

By Mr. PLUMB:

Q. When you say "if only the beef had been furnished that had been contracted for" you mean under the *first* contract?—A. Yes, sir.

Q. In making your estimates, are you under instruction from the department on what basis you shall put your estimate?—A. I do not believe there is anything specific about that.

Q. Do you base your estimate upon what the treaty calls for, or upon your own notion of what the Indians ought to have?—A. Upon what I thought was actually necessary, keeping in sight what the department regulations upon the subject are.

Q. Without reference to the treaty—just what you think the Indians ought to have?—A. Yes, sir.

Q. The department uses its judgment as to what the treaty calls for and then send it?—A. Yes, sir; I suppose so. At one time I went into the department, and while there saw written opposite a particular item in my estimate, "Not needed at all." So I see they do not send what I think to be necessary; but my estimate serves as a guide for them.

By the CHAIRMAN:

Q. Can you furnish the committee copies of your estimate for 1877-'78 and 1878-'79?—A. The copies can be had at the Office of the Commissioner of Indian Affairs, or I can furnish them. (See Appendix, Exhibit "M.")

By Mr. PLUMB:

Q. Have you ever, at any time when issuing beef to Indians, pinched the issue in order to make a gain in favor of the government and against the Indians?—A. I do not believe I have.

Q. Or to make the supply hold out when you were afraid that it would run short, and issued less than they were entitled to?—A. I have issued more than they were entitled to. I think the Army officers who have witnessed the issues during the last two years will say that I have issued more than the Indians were actually entitled to. I would drive the cattle into the branding chute, five head at a time. On reaching the platform scales, those five head would be shut into an inclosure just covering the platform, and there they would be weighed; then Mr. Williams, who has been accustomed to oversee that part of the business, or I, would call out the average weight of those five head. Then, if some of the cattle were a little larger than others, or a little smaller, a man who was accustomed to judging of the weight of cattle could tell how much heavier or lighter than the average a given animal was, to within a very few pounds. An experienced man is placed at the end of the branding chute, to let the cattle out to the Indians. The larger parties of Indians get the larger cattle, and the smaller companies the smaller cattle. The beef is issued once a week. Each Indian has a right to three pounds of beef a day, which is, of course, twenty-one pounds a week; so, by having the weight of a steer, it is easy to calculate how many Indians it should be divided among. For instance, an Indian presents himself with, we will say, forty-one beef checks; that would call for a steer weighing (21 × 41) 861 pounds. The man who is letting out the steers runs his eye over the five cattle that have just been weighed; he has heard the average, as called out, to be 855 pounds; he chooses out a steer that he thinks will weigh, say, ten pounds more than the average, and issues it to this company; so they get a steer weighing a few pounds more than their checks call for. They get more oftener than they get less; they are all the time getting a little bit the advantage. The Commissioner of Indian Affairs has usually allowed for a little margin in his lettings, so that there can be but very little mistake about it. There are sometimes ten or fifteen head of cattle left over.

Q. When the contracts for beef are let at the spring lettings, does the department send a copy of the contract?—A. Yes, sir.

By Mr. MORGAN:

Q. Colonel Mizner said something about an "agency herd" belonging to the boys of the school. I would like to have you explain regarding that more fully. Of how many cattle does that herd consist? How did those boys obtain them, &c.?—A. This herd began to be accumulated in the summer of 1875 by three boys belonging to the school—Ja-ah, Wa-ku-netch, and Wa-shea. They milked three cows belonging to the agency the summer through, in compensation for which they received three calves. That is where the whole thing began. That same season eleven other boys belonging to the school planted and cultivated fifty acres of ground to corn; the crop they sold for $305, and with the money received they purchased young cattle. I think that first purchase was ten head of milch cows, ten yearlings, and one bull.

The next year (1876) one hundred and ten acres of land was rented to the larger boys of the school, they receiving one-half the crop. The other half went to the government and was fed to the animals belonging to the government, thus saving the government the expense of purchasing the supplies necessary for that purpose from some other source. The share that went to the boys who cultivated the land was invested in young cattle and hogs.

The following spring the boys interested in the crop were allowed their choice, either to take their share of the corn, together with the cattle belonging to them, and open up a farm among their people, or to remain in school and invest the proceeds of their corn in more cattle to enlarge the herd. Seven of the boys chose the former, and left the school, taking with them ten head of cattle belonging to them. The remainder chose to sell their corn, and invest the proceeds in cattle. They purchased that year, I believe, twenty or twenty-two cows, nine or ten three-year-old heifers, and about fifty yearlings. This year there was also an increase of twelve calves, and one loss by death.

In 1878, the boys still carried on the agency farm on the same terms as before. Since 1876, all sales from crops raised have been equally divided between the children and the agency, and all invested in young cattle. A fine of $250 imposed upon a herd of cattle illegally held upon the reserve was collected by direction of the Indian Office, and invested in young cattle, and last year (upon my repeated recommendation) four hundred head of cattle were purchased by the Indian Office and incorporated in the herd. All the cattle put in by the Commissioner were yearling heifers.

Five ponies and saddles, to be used in herding the cattle, have at different times been purchased by the government out of funds derived from the sale of fresh pork slaughtered last winter, the hogs belonging o the agency.

The herd now consists of two hundred and twelve cows, fifty-five two-year olds, five hundred and fifty-four yearlings, and one hundred and seventeen calves. From the sales of stock there is now on hand about two hundred and forty dollars in cash. The total value of the herd is between nine and ten thousand dollars. The boys—and girls, I may add—feel very proud of them, and take excellent care of them; very few of them have died. Several of the girls own cattle; one girl owns fifty-odd head; her father put thirty-five cattle into the herd for her benefit.

Q. Who are the children that have gathered this herd; to what tribe, I mean, do they belong?—A. Up to 1876, the boys who had invested their earnings in cattle were all Arapahoes. Previous to that the Cheyennes had taken little or no interest in the school, sending no children, but when they did put their children into the school, they wished to place them on an equality in all respects with the Arapahoe children, so they purchased about as many cattle as the Arapahoes had, and placed them in the mission herds for their children's benefit.

Q. To what extent are these cattle in reality the property of these children? When one of them leaves school and goes out among his people, does he take his cattle with him as his personal property? and how about these cattle that the government has purchased and placed in the herd? Since it has given them to the school, can the school boys, when they go out into the world, each take his share of them, or have they been given in some more limited sense, so that the government after all retains the ownership of them?—A. The children own only those originally put in by them, together with the increase. Each child owning cattle has a special brand, and all of his or her cattle are branded with that particular mark, to identify them. To-day between five and six hundred head of the herd belong to the government for the benefit of the school in common; the remainder belong to individual children. When a boy or girl leaves the school, he or she is entitled to take away from the herd all cattle having his or her brand. The object in holding all cattle purchased by the Indian Office undivided is, to form a nucleus of a herd which it is believed may in a few years render the school self-supporting by the sale of beef cattle. In the future management of this herd it will be the aim to render it capable of endowing each child, on leaving school, after passing through the proper period, and being honorably discharged, with a small number of heifers, as a start in life. The number to be given to each will of course materially depend upon the success in raising and caring for the cattle, and the number contributed by the government to the herd. If no change is made there can be no doubt that only a few years need elapse before the sales of beef cattle will be sufficient to pay the expenses of the school; and it is believed that if the same plan were, on a larger scale, adopted for the benefit of all the Indians in the country, it would be the means of relieving the government in a short time of the necessity of calling on Congress for annual appropriations for their support. To give them one or two head at a time will not answer; they will generally kill them when suffering from hunger; but if the cattle are herded by government, and kept under its exclusive charge, the plan can, in my opinion, be carried to a successful issue.

(For an exact statement of the purchases, expenses, increase, &c., of this herd, see Appendix, Exhibit "N.")

WILLIAM M. LEEDS.

WASHINGTON, D. C., *January* 24, 1880.

WILLIAM M. LEEDS, being sworn and examined, addressed the committee as follows:

I would like to say before I begin that I requested the privilege of seeing the papers from the Indian Office, in order that I might refresh my memory and be able to testify intelligently. I sent a note, making this request, to the Secretary, who sent a reply that the answer would be forwarded to Senator Kirkwood. I then wrote to Senator Kirkwood, and through him a request was sent to the Secretary to furnish you with copies of the documents I desired; and the papers are here, I understand, although I have not had an opportunity to see them. That prevents my having any use of the papers. I have, however, concluded to get along without them.

After some remarks by the chairman regarding the scope of the investigation (namely, that the committee was authorized to investigate only the escape of the Cheyenne Indians), and the limitations that should be imposed upon the witness (namely, that he should include in his statement nothing except what had a bearing upon this subject), Mr. Leeds proceeded as follows:

Nine hundred and thirty-three Northern Cheyennes and four Northern Arapahoes arrived at the Cheyenne and Arapahoe Reservation, in the Indian Territory, August 5, 1877, under charge of Lieutenant Lawton. The outbreak occurred September 9, 1878. John D. Miles, agent for the Indians of the Cheyenne and Arapahoe Agency, said in a letter to the Indian Office, dated November 1, 1878, "Not one of the chiefs who left the agency September 9, 1878, signed the treaty of September 26, 1876, and on more than one occasion one of the chiefs who left informed me in substance that they had never made a treaty, and had only come south on trial and under great pressure, and have continually talked of returning, and threatened to return when matters did not go to suit them."

In his reply of same date to a letter from Commissioner Hayt, dated October 16, 1878, he refers to the fact that at times he had not dealt out flour to his Indians, because there was not any on hand to give them.

Commissioner Hayt in his letter of November 16, 1878, transmitting to Secretary Schurz the letter of Agent Miles, of November 1, 1878, admits that the full quantity of subsistence supplies due the Northern Cheyennes was not dealt out to them; but he so states the facts that the truth is not apparent. He states the amount of beef due them under the treaty for the year ending July 1, 1868, to be 914,256 pounds; and the amount of beef given to them 1,151,088 pounds; whereas only one-half of each of those quantities would represent merchantable beef; the other half is not food.

By the figures which he gives there would seem to have been dealt to the Northern Cheyennes 98,616 pounds more of food than their treaty entitled them to; and the Commissioner makes the statement that "by the treaty they were entitled to receive, during the year, supplies to the money value of $35,204," and adds, "This statement disposes of all the clamor that has been current during the year, that these Indians did not receive rations to the amount to which they were entitled under the treaty."

The facts are, first, that instead of there having been due them to July 1, 1878, the amount of 914,256 pounds of beef, there was only due them 457,128 pounds; and instead of there having been dealt out to them 1,151,088 pounds of beef, there was dealt out to them only 575,544 pounds of beef; in each case one-half of the amount which he calls beef represents the weight of the hides, horns, hoofs, entrails, and refuse of the slaughtered animals; it is known as "tare," and is not food.

Deducting for the over-statement of beef on both the debit and credit sides of the account, it will be found that instead of there having been a surplus of 98,616 pounds of food dealt out to them up to July 1, 1878, there was a deficit of 19,800 pounds up to that date.

Secondly. That the treaty does not mention the money values of the supplies which the government promised to furnish them; it simply specifies the articles.

Thirdly. That the change in the component parts of the ration which their treaty calls for, injured its real value as food, although its money cost might have been increased.

An analysis of the Commissioner's next statement shows that, allowing for the full government ration from the 1st of July, 1878, to the 7th of September, 1878, inclusive, there must have been a deficit of food during those sixty-nine days, the money value of which he states at $352. He then adds that, "in this connection it would be fair to state that the rations for the year ending July 1, 1878, were nearly $3,000 greater in money value than the Indians were entitled to by the treaty; and the small deficiency represented by the $352 was owing to the fact that the Indian appropriation bill was not passed by Congress until the 27th day of May, and the opening of bids for supplies for the new fiscal year took place on the 18th of June, and it was absolutely impossible to make the purchase of supplies and transport them to the agency in season to be available as soon as the supplies were actually needed. Nevertheless the deficiency in amount was so slight that it is impossible to say that these Indians left the reservation for the want of sufficient food. It should also be considered that the government ration, consisting of three pounds of beef (gross), one-half pound of flour, one-half pound of corn, and for every one hundred rations four pounds of coffee, eight pounds of sugar, and three pounds of beans, for every man, woman, and child, is more than sufficient for the ample sustenance of any community in the United States."

It is of no consequence to the Indians what may be the comparative cost of the Indian ration agreed upon by treaty, at different times; the bargain was for food, not money. The small deficiency of $352 would have paid for seven thousand pounds of flour. If the three hundred Indians, who, with Chief Dull Knife, broke away from the agency had received that $352 worth of flour, the outbreak might have been averted.

The letters from Agent Miles, in which he states that the Indians had been unsuccessful when on their hunting expedition in the winter of 1877-'78, and that because of their misfortunes at that time he had discouraged and dissuaded them from starting out for a hunt in the month of July, 1878, gave full notice of the fact that it would be necessary to purchase more supplies, in order to feed them until deliveries under the new contracts for the year ending June 30, 1879, could be made. The requisite supplies of flour and corn might have been purchased in open market without waiting for the making of contracts under the new appropriation.

Again, the treaty does not mention anything about three pounds gross, but does say one and one-half pounds of beef, or in lieu thereof one-half pound of bacon. The quantity of beef, net, which could be gotten from an animal which might weigh 750 pounds gross would depend entirely upon the condition of the animal. I have seen a Texas cow delivered at an agency in the Indian Territory which did not have beef enough on it to be worth trying to get off. The Indian to whom it was dealt cut off the hindquarters, which I judged weighed about thirty-five pounds each; he cut off one forequarter, and after looking at it threw it away; the rest of the carcass he tried here and there, but failing to find meat he abandoned it. The hide and about seventy pounds of meat, bone, gristle, and sinew, but little of the first item, was all that he got from it. A simple statement of the gross weights of Texas steers and cows, without reference, does not afford any basis for a calculation as to how many pounds of such animals would be required for the ample sustenance of any community in the United States.

In the report of Maj. J. K. Mizner, dated Fort Reno, Indian Territory, September 20, 1878, a copy of which was received at the Indian Office, he says: "During the latter part of the winter and the early part of the spring the beef was very poor, and was much complained of by all the Indians on all occasions, and it was really very bad. From the 1st of July to the 1st of September, the issue of rations was very unequal. The regular ration of flour was issued but twice, while beef was issued constantly; there was but little flour, and sometimes no coffee or sugar." A table, showing issues during July and August, is appended. (See Appendix.)

"It is thus demonstrated that at the issue for the week commencing August 5th there was no flour dealt out, and nothing in lieu thereof.

"Secondly. That at the weekly issue of August 12th about 27,400 pounds of beef, gross, and 4,522 pounds of corn were issued in lieu of the 35,000 pounds of flour and corn to which they were entitled; no flour was issued. The additional 27,400 pounds gross of so-called beef was in reality only 6,850 pounds of meat; and as the meat ration was already enough, the 6,850 pounds additional of lean Texas beef was of no more value as food, probably not of as much value, as the same weight of corn and flour; and the 6,850 pounds of meat and 4,522 pounds of corn, in all 11,372 pounds, was what they actually received in lieu of the 35,000 pounds of corn and flour provided for by their treaty. Therefore there was an actual deficit of food at the weekly issue of August 12th of more than 23,628 pounds, or about four and three-fourths pounds for each Indian. The main items of the Indian ration, viz, one and one-half pounds of beef and one-half pound each of flour and corn, give three-fourths of a pound of meat and one-half pound each of flour and corn; that is one and three-fourths pounds of food. The deficit of four and three-fourths pounds for the week is about eleven ounces daily. Deducting eleven ounces from one and three-fourths pounds, we find that they received only about seventeen ounces of food daily.

"To state it in another form, the 133,501 pounds, gross weight, of so-called beef did not give them but 33,375 pounds of meat; to that amount add 4,522 pounds of corn, and we have the total quantity of food which was supplied to the 5,004 Indians of the Cheyenne and Arapahoe Agency for the week ending August 19th, 1878, viz, 37,897 pounds, or about seventeen ounces daily for each Indian.

"At the weekly issue of August 19th neither flour nor corn was dealt out, and there was no addition to the beef ration. There was an actual deficit in the ration of one and three-fourths pounds of food, of one pound of flour and corn. With the exception of their sugar and coffee, which are always scant rations, they only had their per diem of one and one-half pounds of merchantable beef or three-fourths of a pound of meat for the week between August 19th and August 26th.

"August 26th there was neither flour nor corn issued to them. They received their scant rations of sugar and coffee and 10,007 pounds additional merchantable beef; thus all that they received at this issue was fourteen and one-fourth ounces of meat.

"September 2d they received their full ration of beef, but no corn, and less than three-fourths of their flour ration. They actually received but eighteen ounces per diem of food, as against the twenty-eight ounces to which they were entitled for the week preceding their outbreak from the agency."

The facts stated by Maj. J. K. Mizner in the table to which I have referred (see Appendix,) are contained in the reports of Agent Miles to the Indian Office.

It will be found, on an inspection of the property returns of Agent Miles for the quarter ending September 30, 1878, upon Abstract D to property rations, which give the number of Indians and quantities of supplies issued to them, that the Northern Cheyenne Indians at times did not receive either flour or corn, and did not receive anything in lieu thereof. Commissioner Hayt's report for 1878 contains the following:

"The per diem ration due to each man, woman, and child under the treaty is: Beef, 1½ pounds net (or 3 pounds gross), or in lieu thereof ½ pound of bacon; flour, ½ pound; corn, ½ pound; and for each 100 rations coffee, 4 pounds; sugar, 8 pounds; and beans, 3 pounds; this is more than sufficient for the ample sustenance of any community in the United States. Excluding Indians upon the hunt, there has been at the agency between the time of their first arrival, August 5, 1877, and the time when the Dull-Knife party left the agency, September 7, 1878 (a period of 398 days), an average of 860 Indians.

"They were entitled to the following quantities of supplies:

Beef...........	1,026,840	pounds.
Flour..........	171,140	"
Corn...........	171,140	"
Coffee.........	13,725	"
Sugar..........	27,450	"
Beans..........	10,294	"
Total......	1,420,589	"

"There was dealt out to them during the time mentioned the following:

Beef..........	1,242,208	pounds.
Bacon and lard	20,016	"
Flour	157,060	"
Corn	18,190	"
Coffee	10,425	"
Sugar	20,950	"
Salt	2,272	"
Soap	2,297	"
Hominy	14	"
Tobacco	994	"
Baking powder	894	"
Total....	1,475,320	"

"There were due them by treaty 1,420,589 pounds of subsistence supplies, and there have been dealt to them 1,475,320 pounds, or a surplus of 54,731 pounds. This statement disposes of all the clamor that has been current during the year that these Indians did not receive rations to the amount to which they were entitled under the treaty."

Respecting the statement in Commissioner Hayt's report for 1878, the surplus of 54,731 pounds is a surplus of hides, horns, hoofs, entrails, and refuse.

One-half, or 107,684 pounds, of the difference between the amounts stated as beef to which they were entitled and as beef dealt out to them represents hides, horns, hoofs, entrails, and refuse, or the fifty per cent. of tare which is allowed the government at the time of purchasing, and which is not food.

While it is true that there was a surplus of 54,731 pounds of gross weights furnished to the Indians, it is also true that after deducting the fifty per cent. tare from the amount of beef to which they were entitled and the amount dealt out to them, there would be shown a deficit of 52,953 pounds.

Assuming that the beef promised by treaty is to be what is known as merchantable beef, which includes bones, gristle, and tendons, in order to arrive at a fair estimate of the actual quantity of nutriment which their treaty called for, and the real amount which was dealt out to the Northern Cheyennes for the 398 days that they were at the Cheyenne and Arapahoe Agency, it is proper that from the net weights of merchantable beef a deduction be made for the bones, gristle, and tendons. Information received from the president of a beef-canning company, a hotel proprietor, and a family butcher and dealer, confirms the statement that Texas steers which will give but fifty per cent. of merchantable beef will give but twenty-five per cent. of food.

They were entitled to the following quantities of supplies: Beef, merchantable, 513,420 lbs.; that is—

Beef consumable	256,710
Flour	171,140
Corn	171,140
Coffee	13,725
Sugar	27,450
Beans	10,294
Total	650,459

There was dealt out to them the following quantities of supplies: Beef, merchantable, 621,104 lbs.; that is—

Beef consumable	310,552
Bacon and lard	20,016
Flour	157,060
Corn	18,190
Coffee	10,425
Sugar	20,950
Salt	2,272
Soap	2,297
Hominy	14
Tobacco	994
Baking powder	894
Total	543,664

Thus it will be seen that the quantity issued during 398 days was short of what was due them 106,795 pounds, without making any allowance for loss, or shrinkage, or depreciation in the value of the rations by reason of a change in the proportions of its component parts.

These facts, in connection with the fact that for some weeks their scant rations were still further decreased by the lack of the one-half pound per diem of flour, are not only sufficient evidence that the Northern Cheyennes did not receive rations to the amount to which they were entitled under the treaty, but sustain the charge that the were being starved.

By Mr. MORGAN:

Question. These are your deductions from the different reports to which you have referred?—Answer. Yes, sir.

Q. And not statements made from your own personal knowledge, aside from the reports?—A. I claim them to be facts coming within my own knowledge.

By the CHAIRMAN:

Q. The statements are in the departments, are they not?—A. By reference to what I have said you will see that I have quoted from Major Mizner's report of September 20, 1878, and that he procured his data from the agent's reports to the Indian Office.

Q. The sources from which you derive your statements are on file in the Indian Office, are they not?—A. They were on file there.

Q. All the information you have here given us, then, is there already?—A. Yes; it might be found there. It can be found also, the most of it, in this letter dated February 12, 1879, from the Secretary of War to chairman of the Committee on Indian Affairs.

Q. Let me you understand you fully; your statements are made from and based upon the report made by Major Mizner?—A. Partly, but not entirely.

Q. And his reports are based upon reports shown to him by Agent Miles?—A. Yes.

Q. And those reports are on file in the Indian Office?—A. They are, or, at least, they ought to be.

By Mr. DAWES:

Q. Do the treaty stipulations regarding the food of these Indians deal at all with beef consumable?—A. I should say that they do entirely; the treaty says "one and a half pounds of beef," and it would hardly be the thing to give them a pound of bone and half a pound of beef.

Q. You seem to divide beef into three classes—beef gross, beef net, and another class, beef consumable; what class does the treaty contemplate shall be furnished the Indians?—A. The treaty says "one and a half pounds of beef," and I construe that to mean merchantable beef.

Q. The middle class of beef, if I may call it so?—A. Yes, sir.

Q. Does the treaty deal with no other class of beef than the middle class you name, and provide for a substitute for it in gross?—A. No; nothing is said about "gross" in the treaty.

Q. Where the treaty provides for one and a half pounds of beef, that you understand to be merchantable beef?—A. I so understand it.

Q. But suppose that, in point of fact, the merchantable beef turns out only a small amount of consumable beef, who is to blame for it?—A. I take it the treaty means food to live upon; if, instead of that, they get a surplus of bone, the treaty is hardly complied with.

Q. Do they give these Indians a surplus of bone when they supply them with merchantable beef?—A. What is called merchantable beef at any Indian agency could not be sold in this market, as a general thing.

Q. Is not the fault, then, in the treaty? If the Indian Office furnishes the Indians with what the treaty calls for, and after all there proves not to be enough, because the merchantable beef does not produce the expected amount of consumable beef, you could not very well arraign anybody but the treaty-making power, or the law-making power?—A. I arraign the lack of appropriation to properly feed them; the appropriation is not sufficient. In winter to get one and a half pounds of merchantable beef would require four pounds gross, instead of three; three pounds gross of Texas steer or cow would not produce a pound and a half—no, nor a pound—of merchantable beef, at times.

Q. Is it not, in point of fact, impracticable to deliver to each Indian his net pound and a half of beef? Can it be delivered to him in any other way than in gross?—A. No, sir; and, therefore, the estimate should be liberal enough so that they would actually get the necessary food.

Q. He apparently gets the food that answers the statute requirements; and when they have furnished him that, they have done all that you expect them to do, have they not? Have they not fulfilled the letter and spirit of the statute which requires such a ration?—A. I would not say so.

Q. If the Indian Office has fulfilled the statute or appropriation, what would you expect them to do, except to cry out to Congress in representation of the insufficiency of the appropriations?—A. I conceive it to be the duty of the Indian Office to give the matter a thorough investigation, and if they have not the rations, as I have described, to point it out to Congress, and demand that supplies shall be furnished to keep these men alive.

Q. Admitting that the Indian Office has complied with the letter and spirit of the law up to the measure of the appropriation; that they have furnished a pound and a half net; but that, as you say, and it may be true, a pound and a half net does not afford subsistance enough, nutriment enough, for an Indian, has the Indian Office anything to do with that?—A. My point is this: The wrong of the Indian Office consists in saying three pounds gross, when the treaty does not say three pounds gross, for you agreed to furnish a pound and a half net.

Q. Then, if I understand you, your point is that the substitution of three pounds for a pound and a half net is not a fair substitution?—A. It is not a fair substitution for the greater part of the year.

Q. You admit that in any particular administration it is necessary to furnish beef gross instead of net; that it is not practicable to furnish beef net to each Indian?—A. Certainly not.

Q. Who has determined that three pounds gross is equivalent to a pound and a half of net?—A. That has been the accepted way of dealing out beef by the Indian Office for many years.

Q. They have always done that?—A. So far as I know.

By the CHAIRMAN:

Q. Do you make the point that the Indian Office is subject to criticism because the kind of beef which it furnishes is of such a character—Texas steers—that three pounds of that kind of beef would not furnish the equivalent of one and a half pounds net, that some other kind of cattle would furnish?—A. I can only say this: That I have complained a number of times that the Indians were not properly fed. At the time General Sheridan sent forward his letter, I believe I wrote three-fourths of the answers to his budget of details, and when I handed the document to Secretary Schurz I remarked to him that it was disingenious; he asked why; I said, "because it would make the public believe that the Indians were properly fed, when in fact they were not." I spoke to Commissioner Hayt about it, but made no impression whatever. I got Inspector Hammond to go and tell Mr. Schurz that they were not properly fed, but it was of no use. Then I spoke to Mr. Hayt and Mr. Schurz together, but it made no impression.

Q. Suppose that I admit that the Indians are not properly fed; now, I am trying to trace through you the place where the fault lies; put your finger on it and point out where the fault lies, in your opinion.—A. I should say that, as is true of the whole Indian business, the fault is due to a lack of appreciation of the subject.

Q. At this agency which we have been discussing, instead of furnishing the beef that was furnished, and following the policy that was followed, what would you have done?—A. I would have let Congress know that the Indians could not be fed with the appropriation; I would have let them know what was needed, and have asked for more. I urged that that should be done; I insisted that the Indians of the three southwestern agencies in the Indian Territory needed sixty thousand dollars' worth more of food than they had been allowed the previous year.

Q. Have you any other suggestion? I am now talking of that particular agency, and asking what ought to have been done that was not done there?—A. Instead of dealing out to the Indians three pounds gross of beef, they ought to have had at least four pounds, for two-thirds of the year, and I do not know but the whole year; even in the season when there is plenty of grass all around the corral at the agency the grass is eaten up; the cattle have to be driven several miles away to feed; they start out at eight or nine o'clock in the morning, and are brought back again at five o'clock in the afternoon. Cattle will lose in that way.

Q. How can that hurt the Indian when the steer is weighed out to him after that?—A. It hurts the Indian in this way: take an animal weighing nine hundred pounds, and half of that weight or four hundred and fifty pounds will consist of hide, horns, hoofs, entrails, &c.; one-half the remainder is bones, sinews, and gristle, and the other half, or two hundred and twenty-five pounds, will be actual meat. Now, if that animal loses weight, say a hundred pounds, that loss does not cause a proportionate diminution of the weight of the horns, hides, hoofs, &c., nor of the bones and sinews; there is a greater proportionate loss of actual meat.

Q. You mean to say that when the animal loses weight, the greater portion of the loss is in the meat?—A. The greater proportion of the loss is in the meat.

Q. Do you think that the loss of weight to an animal, from being shut up twenty-four hours to be slaughtered, would be a loss by which the Indians would suffer?—A. No, sir; I said that if the cattle were driven back and forth some distance to pasture, starting out say at nine o'clock in the morning and returning at five o'clock in the evening, besides its taking an hour or more of the time in traveling each way, which would leave them but four or five hours out of the twenty-four in which to feed, they would in the course of time grow poor; the loss would be largely a loss of meat; and the Indians would suffer by it. Cattle will lose a hundred pounds, in some seasons, pretty readily.

Q. After being driven into the corral, but before being let out?—A. No, while at the agency, waiting to be distributed.

Q. They are not corraled, as a general rule, more than twenty-four hours before they are delivered, are they?—A. O, yes; the contractor sometimes delivers a thousand head at once. There was at one time, I forget how long ago it was, a much larger lot than that delivered at this agency.

Q. But the agent keeps them out on the prairie as long as he can, does he not?—A. He keeps them out only long enough to reduce the herd to such a size that he can get them into the corral at night.

Q. Is not this the custom, that a contractor brings in his herd of cattle, and keeps them at some distance from the agency, where they can be fed, and once a week brings in as many as is sufficient to supply rations for that week; and that those cattle are driven into the corral, weighed out, and delivered to the Indians?—A. Sometimes the contractor sends in a great many more cattle than are sufficient to supply the Indians with rations for a week.

Q. That is what the contract calls for, that the cattle shall be kept "within a convenient distance."—A. Yes; but it does not say for whose convenience, the contractor's or the government's. At the Pawnee Agency——

Q. We are not investigating the Pawnee Agency. We are talking about the Arapahoe and Cheyenne Agency; is it not the fact that at that agency the contractor keeps his herd of cattle at such a distance from the agency as enables him to afford them pasturage, and that once a week he brings in enough to supply a week's rations to the Indians, and that they are put into the corral and divided out?—A. They are not generally brought in as often as once a week; they are issued once a week; the agent sends a notice to the contractor as to how many cattle to bring in, and when to bring them.

Q. Suppose the contractor has to drive the cattle in ten miles, from the place of feeding to the agency, will that cause them to shrink in weight?—A. Not in weight of flesh; but they are driven more than that, at times.

Q. Suppose they are driven thirty miles, will that cause them to shrink in weight?—A. They are driven more than that sometimes.

Q. But would that cause them to shrink in weight?—A. If driven in a storm, without a chance to feed, it would.

Q. In your judgment, would that cause a loss to the Indians?—A. If the loss in weight included a loss of much flesh it might.

Q. Is not the loss, in fact, in favor of the Indians? Is not the loss a loss of the contents of the stomach and bowels, and not a loss in the weight of the meat?—A. No; it is not so. So far as regards their being kept in the corral for twenty-four hours, if they had been well fed immediately previous to being put in, the loss would be a loss of the contents of the bowels, and so far the advantage would be in favor of the Indians; but when they are driven as they frequently are for a distance of from sixty to seventy miles—especially in the winter season, perhaps with a light snow on the ground and they fall away in flesh, the loss of weight causes a larger proportionate loss of meat to the Indians.

Q. Then it seems that we Iowa people are laboring under a mistake; when we buy a lot of cattle for shipping, we require them to be kept for forty-eight hours without food or water; that is supposed to be for the benefit of the buyer; are we in error about that?—A. That is for the benefit of the buyer in a money making way. I am speaking of the amount of beef which the Indian gets out of the animal. The Indian always has the advantage, if he has so much delivered in gross weight of getting rid of the refuse by their being kept twelve hours in the corral before being accepted by the agent; that is a customary thing, the contracts are made including that arrangement; and if these cattle are driven from sixty to seventy-five miles besides, so that they lose not only the contents of the stomach and bowels, but actually become much leaner in flesh, that causes a loss to the Indian.

Q. Let us suppose a case: suppose we take a steer that will weigh eight hundred pounds out in the pasture, if he were to be turned over to the Indian there he would be turned over at four hundred pounds net; the Indian would get four hundred pounds. Now, suppose that the steer is driven into the corral from a considerable distance, so that instead of weighing eight hundred pounds he weighs but seven hundred; he is then turned over to the Indians at three hundred and fifty pounds, now do you think he does not get as much beef in proportion as if the steer had been turned over to him at four hundred pounds out on the range. If by driving and corralling for twelve hours the steer loses a hundred pounds so that the steer is turned over to the Indian at three hundred and fifty pounds instead of four hundred pounds, is that a disadvantage to the Indian?—A. Certainly that is a disadvantage to the Indian, if the animal has not been deprived of food and water.

Q What difference in weight would result from remaining in the corral without food for twelve hours?—A. I should think it would be about thirty pounds.

Q. Did I understand you to say that at certain seasons of the year Texas cattle would not make fifty per cent. net?—A. They will not.

Q. At what season of the year do you think that is the case?—A. Whenever there is snow on the ground, during the winter and in the spring till April.

Q. Then the pasture becomes good, and from that time on until the pasture gets poor again the cattle are gaining all the time are they not?—A. Yes, sir.

Q. In the winter time the pasturage is not so good as in the spring, summer, and fall?—A. It is not so good.

Q. Do you remember at what time these Northern Cheyennes left their agency?—A. They left September 9, 1878.

Q. Then the cattle that had been turned out to them during the thirty or sixty days preceding that time had the benefit of the improved pasturage of summer?—A. They would be likely to be in fair condition unless they had been kept in the agency corral many successive nights.

Q. The corral is a high inclosure with no food or water inside of it; do you mean to say that it is the custom of the agent to keep his cattle shut up there for days or weeks?—A. Not at all; but in order to keep cattle in good condition they must be kept on their range day and night.

Q. I understand that; but do you mean to be understood that he habitually keeps them in the corral instead of on the range where they can get food?—A. No, sir; he has them driven out every day.

Q. Every day? How often do they distribute rations?—A. Once a week.

By Mr. **Dawes**:

Q. You mean they are shut up in the corral nights?—A. They are in the corral about two-thirds of the twenty-four hours, and a large proportion of the remaining third is spent in traveling to and from the place where they are to find their food, such as it is.

Q. Once in the corral, are the cattle ever let out until this distribution?—A. That depends upon their number; different numbers are delivered by the contractor to the agent, at different times, and the agent may use them all for a week's supply, or he may have enough for three weeks' supplies.

By the **Chairman**:

Q. What is the usual practice? How many does the agent customarily receive from the contractor?—A. Sometimes enough for one week's supply, sometimes for two weeks', sometimes for three weeks; I have known of the agents having thirteen hundred head of cattle on hand at one time.

Q. For thirty or sixty days before those Indians left they had been receiving beef that had had the advantage of the good summer pasturage, from spring up to that time; is that not so?—A. Yes; their beef may have been of the best quality for those two months, but that is not the point I——

Q. That is *my* point—that during the thirty or sixty days preceding the time when those Indians left this agency things were going on in their regular order, and they were receiving beef at its best?—A. I should say as good as they will ever get probably, and yet it may not have been, for this reason: the fiscal year ends June 30th, and at that time the contractors deliver all that they are to deliver on their yearly contract; if you call upon them for any additional delivery it must be done before the end of the fiscal year, in order to be paid for out of the appropriation for that year; and as the thirty or sixty days which you mention covers July and August, I cannot tell how many cattle were delivered to the agent at the end of June and kept by him; there may have been several hundred. If so, and they were corraled at night, the agent would have to take care of them, and have them driven to and from pasture daily.

Q. Whether such was the fact or not, you do not know?—A. I do not know.

Q. You do not, in fact, know whether the beef supplied to those Indians at that time was in good condition or in bad condition?—A. No, sir; not without reference to the papers; and if I should see the papers I could only draw an inference therefrom.

Q. If a large number were delivered to the agent before the close of the fiscal year, he would not drive them out every day and in at night, would he? He would keep them out on the prairie, and drive in as many as he wanted each week, would he not?—A. He would drive them out to the feeding-ground every day and in at night, if there were not too many.

Q. At that Arapahoe and Cheyenne agency how far would he have to drive them in order to have good pasturage?—A. As the grass is eaten down probably for some miles around the corral, he would have to drive them some distance; and, beside, the travel to the cattle, the further they would have to go the more time would be consumed in going and coming and less would be left for feeding.

Q. You have been at that agency?—A. I have.

Q. What distance would these cattle have to be driven to reach good pasturage?—A. At that time they were driven about five miles.

Q. Five miles out in the morning and five miles back in the afternoon?—A. Yes, sir.

Q. Would five miles travel in the morning and five miles travel in the afternoon hurt the cattle?—A. I do not think the drive would hurt them if they were driven properly, although it might if they were hurried along.

Q. Do you know whether they were hurried or not?—A. I do not know.

Q. I do not know whether I understand you fully in regard to another matter. Do I understand you to say that in order to comply with the treaty the Indians ought to be supplied with one and a half pounds of beef, without bone?—A. That is not for me to construe; the treaty says "one and a half pounds of beef," and what they are supplied with is what is called merchantable beef.

Q. Do you understand it to be the duty of the agent or of the government to supply them one and a half pounds of beef, without bone?—A. I do not think that has ever been done.

Q. That is not the question; is that what the government is required to do, according to your understanding?—A. I should not construe it so, if I were Commissioner; I would keep in view the fact that the idea of the government is to give the Indians sufficient food to feed them; and the one and a half pounds of meat has always been considered to mean, one and a half pounds of such meat as you may buy in the markets, with bone, gristle, and tendon included.

Q. The theory is this, is it not, that Texas cattle lose one-half in slaughtering?—A. Yes, sir; such as are delivered; of course you can get them in better condition than that; but when they do lose one-half in slaughtering, you cannot get of meat more than one-half the weight of the dressed animal.

Q. I say the theory upon which the department acts is that a Texan steer, slaughtered, loses one-half in the slaughtering?—A. That is the theory.

Q. One-half goes to hide, horns, offal, &c., and the other half is meat?—A. It is what is called merchantable beef.

Q. But you think that is too high a per cent.?—A. I do not think that at the Indian agencies they get that much out of Texan cattle.

Q. How is it with other cattle besides the Texan cattle? Does that rule hold good? In the New York market they buy and sell cattle, not by the gross, but by the estimated net weight, do they not?—A. I understand that they do.

Q. What is the proportion of gross weight to net weight in the New York market?—A. They buy their cattle with a certain percentage allowance; I think it is generally fifty-five or fifty-six per cent.

Q. That is a better grade of cattle than the Texan cattle?—A. Yes; the extra percentage is, I take it, pretty nearly all meat.

Q. Do you know how long it has been customary, in the Indian Department, to distribute beef-cattle at the rate of fifty per cent. of meat to the gross weight?—A. I do not think it has ever been done in any other way.

Q. That is a custom that has prevailed in dealing with all the Indian tribes; that the Indians themselves have been used to for many years?—A. I think it is.

Q. A custom they probably had in view when they were making the treaty?—A. Well, I do not know about that.

Q. If they had been accustomed to this mode—if this had been their basis for years before, in making treaties, or if they knew that other tribes were accustomed to that mode of having their beef distributed to them in the fulfillment of their treaties—would it not be natural to suppose that these Indians had that in view in making this treaty?—A. I do not suppose that the Indians ever knew much about it; I suppose that they accepted the proposition that was made to them very much as Indian agents do who accept the fifteen hundred dollars a year salary offered them by the government for taking charge of an agency. The agents go out among the Indians, and when they get there find that they cannot live upon that sum. The Indian accepts the treaty, and expects to get enough out of it for his support; but when he comes to try it, he finds that he cannot.

Q. It is proper for me to ask whether there is any unpleasant feeling between yourself and Commissioner Hayt?—A. There is.

Q. From what time does that date?—A. From a few days before my resignation was sent in.

Q. Had your resignation been substantially requested before it was sent in?—A. It had not. Mr. Schurz took pains to assure me that my resignation was not requested.

Q. Had you been informed by the Commissioner that your services would cease at a certain time before your resignation was sent in?—A. I had not; he said that he would ask the Secretary to ask for my resignation; but the Secretary did not do so; on the contrary, he assured me that he did not ask for it.

Q. Since that time there had been an unkindly feeling between yourself and the Commissioner?—A. Not such as would affect my evidence.

Q. Of course not. Have you ever been engaged in the cattle business yourself?—A. I have not.

Q. I think you have already stated, in reply to a question by Senator Dawes, the particulars in which you thought the Indian Bureau failed to do its duty to those Indians; have you stated them all?—A. I have not stated them all.

Q. What else do you desire to add to the shortcomings of the bureau, beyond what you have already mentioned; in regard to these Indians, I mean?—A. The Indian Bureau did not take into consideration the fact that these Indians had been unsuccessful in their hunting expedition of the winter previous; that in the summer they were dissuaded from going on a hunt by the assurance that they would find nothing; that it was obvious that the appropriation would not pay for the necessary supplies, and that measures were not taken to have supplies furnished.

Q. Outside of the appropriation?—A. There were other funds which could have been used. Another particular in which the bureau failed to do its duty was in not attending to requests from the agency for medicines; and when the medicines were sent, the quality was so trifling as to be of very little account. They were delayed for months.

Q. Are you through with your statements of the failure or negligence of the Indian Bureau as connected with these Indians?—A. I think flour should have been bought to supply these Indians until their supplies under the new appropriation could be furnished.

Q. I asked whether you were through with your statement of the particulars in which the Indian Bureau had failed in its duty toward these Indians.

By Mr. MORGAN:

Q. Do you know of any injustice done them in connection with the matter of annuity goods?—A. I do not.

By the CHAIRMAN:

Q. If you are through specifying what the Indian Bureau should have done, but did not, now go on and state what you would have done had you been at the head of that bureau.—A. I would have paid attention to the letters of the agent, and would have seen that the Indians had sufficient rations to make good the deficiency that I knew must exist because of their not being successful in hunting. The total rations furnished were not sufficient to feed them more than two-thirds to three-fourths of the year. If they do not hunt they must be fed during most of the time, until they become able to support themselves.

Q. Had the Commissioner the authority to make purchases after the appropriation had been exhausted?—A. There are funds which are available in case of necessity.

Q. What funds?—A. Any surplus from the Wichita or Kiowa Agency can be applied to that purpose.

Q. To the support of the Indians at this Cheyenne and Arapahoe Agency?—A. Yes; and furthermore, the civilization fund is both available and ample.

Q. Was there any surplus from that source which you first named at that time?—A. I would have to look at the papers in order to answer that.

Q. If there were not any surplus from those sources, what, then, would you have done?—A. I would have done another thing from the start—which, however, I do not think the Commissioner could have done; I would have bought supplies, regardless of the appropriation, rather than that the Indians should starve; but this Commissioner could not do that, for parties refuse to take open-market vouchers while he is in the office, because they have been so badly treated; they will take them only at an advance of from 25 to 30 per cent. upon their usual prices in some parts of the country.

Q. Have you yourself made propositions of that kind, to furnish supplies?—A. I have not.

Q. Then your knowledge on this point is derived from information from other persons, is it not?—A. On this point it is.

The witness said that as a question had been asked which tended to fix a stigma upon him by insinuating that he had been dismissed from the position he formerly occupied in the Indian Bureau, he requested to be allowed to present and to have incorporated into the evidence his letter of resignation, and the complimentary letter of Secretary Schurz in reply. This request was granted. (See Appendix.)

The CHAIRMAN. The question was asked, not to put a stigma upon the witness, but to explain the state of feeling between him and the Commissioner; it is a question which it is always proper to ask, in any case, to see if it has any bearing upon or can in any way explain the testimony. And now I want to ask whether the refusal to pay or the delay in paying for those open-market purchases arises in the Indian Bureau, or in the Treasury Department?—A. I should say that it arises in the Indian Bureau. The way in which creditors have been treated generally in that office has been shameful; there is such a prejudice against the office that men will not sell it anything, in certain parts of the country, unless they can get a great deal more price than they would ask if they were selling to any one else.

Q. Do you mean that they dislike the Commissioner so much that they will not sell him anything except above the market price?—A. I mean they have been maltreated, and given so much trouble when trying to get their pay, that they want nothing more to do with the bureau as at present administered, unless at prices so high as to afford them profit enough to compensate for the trouble they will be put to in getting their pay, if they ever do get it.

Q. Does that apply to this particular agency, so far as you know?—A. There were goods sold in an emergency, at this very agency, that were not paid for in some years; in fact, I don't know whether they are settled for yet or not.

Q. When was that; during the administration of the present Commissioner?—A. The goods were purchased before this Commissioner came in, but were not paid for until a good while after he came in, if they have been paid for at all. The agent urged and urged the payment for cattle which were bought when the Indians at that agency were actually in a starving condition. He had to go out and threaten that he would seize cattle to feed those Indians with; and he forced men to sell him their cattle.

Q. When was that?—A. That was before this Commissioner came in.

Q. How long before?—A. I think it was about two years before; but when I resigned and left the office the vouchers had not been paid, and I very much doubt whether they have been paid to this day; they laid a long time after he came in, without attention.

Q. In the statement with which you began your testimony, you quoted from some reports of the Commissioner of Indian Affairs; did you make up and hand him—the Commissioner—the figures on which that report was based?—A. I wrote some portions of that report; I do not know that I can now state how much of it; I know I made up that statement, and made it up net beef; calculated in that way the amount came out short; it came out so as to show that those Indians had not had the amount of food to which they were entitled; he changed that, and made it beef gross, which seemed to show that they had had all that they were entitled to.

Q. I do not understand your meaning?—A. I made up that statement in the Commissioner's report, so many pounds of beef, and put the pounds down net beef—net merchantable beef; that showed a deficit, that the Indians had not received the amount promised them by the treaty. It was discovered that by calling it gross beef, and doubling the figures, the doubling increased one side a great many more pounds than it did the other side—as you will see by comparing the table of supplies which the Commissioner fixed up and had inserted in his report (and which I have already read to you), with the correct statement which I furnished him, and which I have also furnished you (near the beginning of the testimony), in order that you might compare it with that fixed up by the Commissioner. When the Commissioner saw that by making it beef gross he could make it appear that these Indians had received their full supply, he directed that it should be made gross in that account; and it was made gross, and showed a surplus. But that surplus was in reality a surplus of hides, horns, and refuse. In this evasive way he furnishes a basis for his assertion that "this statement disposes of all the clamor that has been current during the year that these Indians did not receive rations to the amount to which they were entitled under the treaty."

Q. You furnished the figures as net beef, you say?—A. I did.

Q. In ascertaining the amount net, how did you reckon?—A. Why, I took the number of the Indians to be fed and the number of days they were to be fed and multiplied them together, and then multiplied the product by one and a half pounds.

Q. And he required it to be made gross; that is, twice the quantity?—A. He did.

By Mr. DAWES:

Q. After you had made out that statement and shown it to him?—A. Yes.

By the CHAIRMAN:

Q. Did you make any change in the figures except to substitute three pounds for a pound and a half?—A. Yes; the doubling affected one side a great deal more than it did the other. There is, also, a letter of the Commissioner's which——

Q. Never mind about the letter. I am referring now to the extract which you made from his report. The question is, whether you yourself prepared that report for his signature?—A. No; not the whole report. I understood you to ask me about that schedule. I cannot now say how much of the report I prepared.

Q. What I want to get at is this: You made a statement in which you calculated for a certain number of pounds of beef, counting one and a half pounds to the Indian?—A. I did.

Q. He required that to be changed so as to count three pounds to the Indian?—A. He did.

Q. That is, he required it to be in gross instead of net?—A. Yes; that is it.

Q. Is that all the change he made; did he alter the figures in any other way than that?—A. Not that I remember.

Q. Then, if the theory be true that three pounds gross is equal to one and a half pounds net, the change resulted in no prejudice to the Indians, did it?—A. Certainly it did.

Q. How please explain?—A. The gross weight makes a difference in the calculation, as you can see for yourself by the two tables I have already placed before you, of 215,368 pounds.

Q. Let us see about that: Suppose a thousand Indians are entitled each to one and a half pounds net per day; you made your report upon that basis?—A. Yes.

Q. The Commissioner required you to change the figures so as to show that the Indians were entitled each to three pounds gross per day?—A. Yes.

Q. Now, how can that deprive any Indian of his pound and a half of beef per day *if* three pounds gross will furnish one and a half pounds net?—A. The table is made up so as to show that, notwithstanding the Indians did not receive the rations to which they were entitled, they did receive a surplus of beef. Now, if, when fifteen hundred pounds were due them and there were dealt out to them two thousand pounds, I am told to double these figures, and I do so, putting on the one side three thousand pounds and on the other side four thousand pounds; in the latter case there is a difference of a thousand pounds, while in the former case there is a difference of but five hundred pounds. In just that way, in this calculation, the Commissioner has doubled the real surplus of beef, and so converted an actual deficiency of over a hundred thousand pounds of food into an apparent surplus of over fifty thousand pounds.

Q. You claim, if I understand you, that the excess of beef was charged over against the other rations at three pounds instead of one and a half pounds, and that that excess, instead of being food, half of it consists of hides and horns and refuse, so that there is really a deficit, instead of a surplus, as appears by the Commissioner's statement.—A. Yes, sir; that is it.

By Mr. DAWES:

Q. Did you say, when these two forms of statement were presented by you to the Commissioner, he directed you to embody the gross weight, instead of the net weight, in that table?—A. Yes; and the same thing is done in that letter which I referred to; the same figuring will be found in criticism by the Commissioner of one of Major Mizner's reports.

By the CHAIRMAN:

Q. We will investigate this matter first. Did you make up that statement originally, or did Mr. Arthur make up the statement originally, and hand it to you?—A. I cannot say as to that; I may have written it myself, or may have laid it out for him to write.

Q. Did you leave a copy of the statement written by you in your drawer?—A. No, sir, not that I am aware of; probably I did in the office, in some place. The statement went in its natural course to the party who made up the Commissioner's report. It must be among the original papers of this report. There is a table here, by Major Mizner, who states that the rations furnished to the Cheyenne and Arapahoe Indians were not sufficient, and he gives the figures to prove it.

Mr. PLUMB. We are not trying the question of veracity between Mr. Hayt and Mr. Leeds; nor is it necessary to the purpose of this investigation to show who made up those figures—a clerk in the office or Mr. Hayt himself. If we try Mr. Hayt, it will be on the report that he has sent out. The question as to whether he, or Mr. Leeds, or Mr. Voorhees, or anybody else made up that table occurs to me to be immaterial.

Mr. DAWES. We spent considerable time out West over the discrepancy between the figures of Major Mizner and the Commissioner. Now, for the first time, we have this explanation, in substance, that the Commissioner made his calculations upon a basis of three pounds gross, when he ought to have taken a pound and a half net. Our examination of Mr. Leeds to day has resulted in that benefit.

By Mr. MORGAN:

Q. I would ask whether the term "merchantable beef," as used in the Indian Bureau, has any reference to the quality of the beef at all? Would you consider beef as being "merchantable beef," within the sense and meaning of the Indian Bureau, if it was very poor—very thin?—A. What we call "merchantable beef" is simply another name for one-half of the gross animal. But I have known the Indians to be supplied, in former years at least, with some animals that would not be merchantable here, nor in any city market; in fact, the animals themselves would not have been salable—would have been what we call "scalawags." But the animals now furnished the Indians are generally of a better class, and the beef is better. The contractors manage to put in always the poorest, cheapest animals they can get. They have to have an average weight. An eight hundred and fifty pound animal, in nice condition, would be very good; but if you should put in some small ones and some large bony ones, the average of the beef might be very poor.

Q. Was this report made up for the purpose of estimating the amount of money to be appropriated by Congress to supply the Indians during the fiscal year, or is it a report of expenditures that had already been made?—A. It was not a report for either of those purposes, particularly; it is the annual report of the Commissioner to the Secretary of the Interior.

Q. Made at the close of the year?—A. Yes; at the close of the fiscal year.

Q. After the beef had been issued and a report of the issues had been made to the department?—A. Yes.

Q. I wish to ask you whether, in making up those figures that were furnished to the Commissioner of Indian Affairs, you took the data which had been furnished by the Indian agent in reference to the Cheyenne and Arapahoe Indians?—A. I did.

Q. Were those figures furnished with reference to net beef or to beef in gross?—A. I cannot say whether it was gross or net.

Q. You cannot say which?—A. No; the agents send it in both ways; I have sometimes seen it one way and sometimes the other.

Q. Suppose that this agent had sent it in gross—three pounds gross instead of one and a half pounds net—why would you have furnished the figures to the Commissioner at one and a half pounds instead of three pounds?—A. Because it is one and a half pounds, and not three, that the Indians get, or should get.

Q. I want to know whether that is your assumption, or the actual figures furnished by the Indian Agent; whether the figures which you say were altered by the Commissioner were extracted from the reports of the Indian Agent; and whether his reports said one and a half pounds or three pounds?—A. I think it very probable he sometimes put it one way and sometimes the other.

Q. Then you had no authority for laying it before the Commissioner as net beef except your own assumption?—A. That one and a half pounds net of beef is the legal ration for Indians is not an assumption, it is a fact.

By Mr. DAWES:

Q. I want to know about this term "merchantable beef", and the term "net." Are not the terms "gross" and "net" the terms that distinguish between the live animal and dressed beef?—A. They are.

Q. And "merchantable beef"?—A. That is the same as "net" beef.

Q. Does it not refer to the *quality* of the net beef rather than to the fact of its being net?—A. Not in the Indian Bureau.

Q. When the Indian Bureau calls for "merchantable beef" it does not refer to the quality of the article, but to the fact of its being dressed beef?—A. In the Indian Bureau the terms "merchantable beef" and "net beef" are interchangeable.

Q. In the market is there not such a thing as "net beef" of different qualities, which may be distinguished as "merchantable" and "unmerchantable?—A. So I understand it.

Q. Then when you say "merchantable beef," you mean dressed beef of the first quality?—A. No; not necessarily of the first quality.

Q. "Net" and "gross" describe the difference between the two articles?—A. They do.

Q. And "merchantable" describes the quality—whether it is a good article or not?—A. We don't use it thus in the Indian Bureau.

Q. Now, about this corralling; does not the corral terminate in a long "chute," into which the cattle go at last in single file, and at the end, where the last steer stands, are the scales?—A. The scales are on the passage toward the end of the chute.

Q. Well, *near* the end?—A. Yes; near the end of it.

Q. At least, there stands the steer on a pair of scales. Is not that the spot where the contractor delivers the steer to the government?—A. On the scale—that is the spot.

Q. And when a sufficient number of cattle for the week's ration is weighed and delivered, what remain are still in the custody of the contractor, and are turned out and provided for by him until the next week's rations are issued?—A. O, no; not usually.

Q. Then you understand that they are delivered to the Indian agent *before* they are weighed there?—A. No; they are driven into the corral, as you have described, and weighed out and delivered by the contractor to the government from that scale; but the issue to the Indians may *not* take place at that time.

Q. Is not the issue to the Indians then and there?—A. It may be at times, but it is not often that every head of a lot of cattle delivered to the agent is issued to the Indians immediately after its receipt by the agent.

Q. Are they turned out into the grass lot to feed again *after* being weighed?—A. Yes, generally; at least part of the delivery.

Q. But by feeding after weighing they will change in weight; some will gain more, some less, and some will die; then how can they be delivered to the Indians at a basis of twenty-one pounds a week?—A. The cattle are brought to the agency and left outside the corral; the inspector looks over them, and designates those which he wants cut out; those are cut out—they are the rejected ones; then such as are accepted are put into the corral, and passed over the scales and weighed; at times they are delivered directly to the Indians there and then; at other times they are not; the contractor may arrive with his cattle on Tuesday or Wednesday, when the issue to the Indians is not to take place until the next Monday, five or six days ahead; then after being weighed the cattle are turned into a promiscuous yard and kept, being driven out to grass in the morning and back in the afternoon, as I have described, until issue day to the Indians does come.

Q. If the cattle are not then and there delivered to the Indians, but are turned out into a promiscuous yard, how is it possible to deliver a 750 pound steer to the number of Indians that 750 divided by 21 will entitle to that steer?—A. You can do it at any time.

Q. Well, *how* can you do it; each individual Indian, man, woman, and child is entitled to twenty-one pounds gross of beef each week, is he not?—A. Yes; or ten and a half pounds of net beef.

Q. If the steer is turned out after weighing, to feed, so that he may increase or decrease in weight, or gets mixed up with the rest of the herd, how can the agent know that he is delivering to the Indians a 750-pound steer?—A. They are supposed to be weighed again, when dealt out to the Indians.

Q. By that you mean they are *supposed* to be, but are not?—A. Not always.

Q. Then how do you get along?—A. A man who is used to it, at an Indian agency, can guess within thirty pounds of the weight of a Texas animal, if he is not in a hurry; there are so many Indians in the band; if there are thirty-five Indians in a band, and they are entitled to three pounds gross a day, or twenty-one pounds gross a week, that makes 735 pounds due to that band, and he must find a steer and deliver to them, one that will weigh 735 pounds. If there be only such as weigh more than that, he must deliver to them a larger steer and give them a surplus. Then some other band must suffer a slight deficiency. He will try and make the bands larger, and bring them as near as he can to conform to the weights of the steers; but, the best he can do, there will be a surplus for some and a deficiency for others.

Q. Have you ever been present at the delivery of these cattle to the Indians?—A. I have.

Q. At the Cheyenne Agency?—A. Yes.

Q. And you say it is done there in this way?—A. I do not say that that is *always* the way.

Q. Have you ever seen it done in any other way at this Cheyenne Agency?—A. I think so; I think I have seen cattle delivered to the Indians at that agency by a general guess at the weight; but I may have got it confused with other agencies, so I will not be certain.

Q. Do you think that so far as Agent Miles has stated it to us on the ground, he is mistaken?—A. Agent Miles may have been cautioned and notified so that he may adhere strictly to the regulations, as near as he can. It is impossible to feed every Indian his fair proportion.

Q. What I want to get at is, at what point the cattle are delivered to the agency, so that the ownership passes; so that the contractor has fulfilled, *pro tanto*, the terms of his contract.—A. The agent is bound to look out that the contractor brings enough for the Indians; he sends the contractor word, two or three weeks beforehand, "I shall want so many cattle, at such a time." The contractor then has to get them together, and drive them to the agency; he may arrive there the day after an issue to the Indians, who do not assemble again until a week later; the contractor delivers his cattle; there he is; there are his cattle; and the agent takes them.

Q. Is there any possibility for the agent to determine what he accepts until the cattle have been weighed?—A. He cannot do it.

Q. They are not weighed until they are put into the corral?—A. They are put into the corral first.

Q. Are they weighed and turned back again?—A. Yes, sometimes; at least a part of them.

Q. And then are delivered to the Indians by estimate, and not by actual weight?—A. I have seen them delivered by estimate; but Agent

Miles has followed up pretty close; and what he does now I cannot say.

Q. What position did you say you occupied in the Indian Bureau when you resigned?—A. I was chief clerk; I was Acting Commissioner for about one-half the time—at least for a good part of the time—Mr. Hayt was away.

Q. When you were Acting Commissioner, were you responsible for the orders of the Indian Bureau personally, the same as the Commissioner?—A. The law says so, but it is a doubtful position.

Q. Did you institute any changes in the administration of any of these details while you were Acting Commissioner half the time?—A. Before I was Acting Commissioner——

Q. I say, *while* you were Acting Commissioner—while you had all the power which the Commissioner has for the time?—A. I was a clerk at Mr. Hayt's elbow; I went there with the understanding that I was to be the chief clerk and Acting Commissioner in his absence, but it was some months before that came about. I did institute various changes; I think you will find that three-fourths or four-fifths of all the instructions sent out during that time were made out by me. I made a new form of beef contract, which is worth a great deal of money to the government.

By the CHAIRMAN:

Q. Did any of these troubles that existed with the Cheyenne Indians come before the department when you were Acting Commissioner?—They did.

Q. Did you do, then, what you thought should be done to correct the troubles?—A. That is where the difficulty comes in. I would like to explain right here regarding that matter. Complaints would come in regard to various things, and I would take the letter into Mr. Hayt——

Q. I mean while you were Acting Commissioner?—A. I was Acting Commissioner only while Mr. Hayt was absent. There were a good many things that I could not do, that it was not my place to do, when he was to be back in a day or two, such as furnishing supplies or making any changes in the general management of the office. My doing what was legal, and proper, and just, in every way, something it was very stupid not to have done before, was just the trouble that Mr. Hayt found with me. I would take a matter to Mr. Hayt and call his attention to it, and say, "Mr. Hayt, this is important; it should be attended to at once"; and instead of paying any attention to it, the next minute he would be writing a telegram to New York; my greatest efforts to get him to attend to the matter would have no more effect than a drop of water on a hot stove. At one time, I remember, there had been a collection of letters for several weeks, and just as he was going to New York he came and laid a large pile on my desk for me to attend to; I had gone all over most of them once, and I now had to go over all of them again. At one time an immense accumulation of letters was sent down to the files room.

By Mr. PLUMB:

Q. Do you mean to say that, by a rule of the office, while Mr. Hayt is absent you are prohibited from doing these things?—A. The complaint was not that I failed to do my duty in any respect; the complaint was that I did more than I ought to have done.

Q. What I meant to ask you was whether you were prohibited from going ahead and making whatever improvements for the benefit of the service you chose, or did he, in substance, or otherwise, request you to leave such things till he came back?—A. He said that he would see to such things when he came back; I, as Acting Commissioner, could not be supposed to go contrary to his wishes.

Q. Who was responsible for the acts of the office when you were Acting Commissioner?—A. The Commissioner was responsible, although the Acting Commissioner is responsible to the Commissioner. The condition of things is such that an Acting Commissioner cannot act on his own judgment. I did all that I could do; but there were things that I could not do; things that I would consider proper to be done, but that I would not consider it proper for me to do, nor would he consider it proper for me to do them when he was absent, to be gone for only a day or two or a few days, intending to return and take charge of affairs in the office until he went away again. It was not my place to institute any general change in the policy of the office, under any circumstances.

Q. For how much of the time during the summer of 1878 was Mr. Hayt absent?—A. During the time I was in the office——

Q. Answer the question as to the year 1878?—A. I should say at least three working days in the week.

Q. That is one-half of the time?—A. Yes.

Q. Would he be gone all of any one week, or a portion of every week?—A. About every week he was away somewhere.

Q. Was he absent in that way for portions of every week, or a large part of the time, until you left the office?—A. About a couple of months before I went out he was there a little more frequently, a larger portion of the time than before.

By the **Chairman**:

Q. When did you go out of the office?—A. About the 22d of January, 1879.

By Mr. **Dawes**:

Q. For how long a time, at any one time, was the Commissioner absent?—A. He would be absent only two or three days, generally, except when he was off on a trip to the Indian Territory.

Q. When you were Acting Commissioner did you institute any changes in the policy or method of the office?—A. I did; all the time.

Q. Were you corrected or rebuked for it by the Commissioner on his return?—A. I do not remember any particular thing except this difficulty which we had——

Q. I mean, were you forbidden to make any change of policy; were you instructed or advised to make no change in the policy or methods of the office?—A. The methods I did introduce were submitted to him.

Q. Were they adopted by him, or were they rejected by him?—A. They were generally adopted.

Q. Then no trouble arose between you and the Commissioner on that question?—A. No.

Q. If all the suggestions you made were adopted, and you were not corrected for making them, why did you not make all that occurred to you?—A. Simply because I was overburdened with business.

Q. So far as you were able to suggest them, you did, and so far as you did suggest them, they were adopted; is that so?—A. Generally; I can find one or two exceptions. I spent the first five months I was there from half-past eight in the morning until eleven or twelve at night in the office. For the next five months two hours, perhaps, short of that. After that I found myself forced to make office hours, as far as possible.

But the days when Mr. Hayt was there business dragged, and rendered it necessary for me to stay there one or two hours longer. Mr. Hayt was a positive obstruction to business. When I first came there he said "I can do all the business of this office with ten good clerks." By the end of the year he asked Congress for ten more, and now has them.

By the CHAIRMAN:

Q. When was your first connection with the Indian Bureau?—A. In the fall of 1876.

Q. In what capacity?—A. I went out as an inspector of Indian agencies for the Board of Indian Commissioners.

Q. Was that the time when you went to the Arapahoe and Cheyenne Agency?—A. It was.

Q. How long were you there?—A. It must have been three weeks, possibly four.

Q. How many agencies did you visit altogether?—A. Five agencies.

Q. You say you were some three or four weeks at this particular agency?—A. Yes, sir.

Q. Did you make your report of the condition of these agencies in writing?—A. I did.

Q. To whom?—A. To the Board of Indian Commissioners.

Q. Is your report on file in the Indian Department, do you know?—A. I do not know; I think not. The Board of Indian Commissioners had some dissension among themselves, and I do not know what they did with my report.

Q. You do not know whether it is on file in the Indian Office or not?—A. I do not. There was some difficulty between Commissioner Smith and the board. Mr. Hayt was dropped from the Board of Indian Commissioners by General Grant. He was requested to resign at the instance of Secretary Chandler. It was just about that time that I made my report, and what was done with the report after Mr. Hayt went out I do not know.

Q. Did you ever see it after you became connected directly with the bureau?—A. I do not remember having seen it since.

Q. You do not know where it is?—A. I do not.

Commissioner Hayt, who was present, requested an opportunity to to ask a few questions, or to have witnesses examined in self-defense.

Mr. Plumb objected to the introduction of any evidence tending to show that Mr. Hayt was or was not an efficient officer; and said he should move to strike out such portion of the evidence already taken as bore upon that point and had no reference to this Northern Cheyenne Indian matter. This committee were not trying Mr. Hayt, nor was it its duty to settle any question of veracity between the two.

The chairman said so far as anything had been said by the witness reflecting upon Mr. Hayt in his official capacity in this particular matter, it would be but fair that Mr. Hayt should be heard on the other side.

By Mr. DAWES:

Q. Was your visit to the Arapahoe and Cheyenne Agency before or after Mr. Hayt became Commissioner?—A. Before.

Q. While he was on the Board of Indian Commissioners?—A. It was during that time.

Q. How long were you chief clerk in the Indian Bureau?—A. I was sixteen months in the office; I was chief clerk—I do not remember exactly; it was between ten and eleven months.

Q. Have you ever sustained any other relation to the Indian service except what you have related as inspector for the Indian Board?—A. That is all.

Q. What was your business before that?—A. I had been in the foreign commission business.

Q. Where do you reside?—A. In New York.

Q. Had you previously any personal contact with Indian life?—A. No, sir.

EZRA A. HAYT.

WASHINGTON, D. C, *January* 28, 1880.

Hon. EZRA A. HAYT, Commissioner of Indian Affairs, sworn and examined.

The CHAIRMAN. Mr. Hayt, you have read the evidence so far as it has been printed, and was present at the last meeting of the committee and heard Mr. Leeds' testimony; we should be glad to have you make any statement that may explain, or correct, or throw any light upon any portion of the evidence. The only purpose the committee have in view is to gain all the information possible in regard to these Northern Cheyenne Indians.

Mr. HAYT. I would like to refer to one matter very briefly—a little personal matter—and if you see fit afterward you can strike it out of the testimony. When I was here the other day the question was asked Mr. Leeds what he would have done, had he been at the head of the Indian Bureau, different from what was done under the circumstances. His answer was, if I remember rightly, that he would have bought flour and sent them, even if there had been no appropriation. That, of course, it would have been unlawful to do. But now I will state to you a fact from which you can draw your own inference.

I went to New York City on the 15th of June, 1878, to open bids for supplies, merchandise, and annuities for that year. The 15th of June, if I remember rightly, was Saturday. Mr. Leeds began to serve as Acting Commissioner, signing himself as such. He continued to do so from the 17th to the 26th, inclusive, ten days consecutively. Then I returned to Washington, and remained here for two or three days, preparing instructions for the Stanley commission, that was just about leaving for the Red Cloud and Spotted Tail Agencies. Then, at the request of the Secretary of the Interior, I accompanied that expedition. I was then absent all of July until the 21st. Bear in mind that I was absent during all of June after the 17th except two or three days, and all of July until the 21st. I was here on the 21st, but from the 21st to the 27th Mr. Leeds was Acting Commissioner, and again on the 30th. He was also Acting Commissioner almost continuously from the 1st to the 17th of August. And during this time Mr. Leeds had not only unlimited opportunity, but precisely the same power as myself to supply those Indians with flour or medicines. More than that, it was during the time that he was acting that flour should have been furnished to these Indians; and if there was any neglect, it is very clear that it was *his own* neglect, because he was in a position to act. What I have said in regard to flour relates equally to medicines.

By Mr. MORGAN:

Question. What is the rule or practice of the bureau as to the jurisdiction of the Acting Commissioner when the Commissioner is absent?

—Answer. The Acting Commissioner has the same power as the Commissioner, except that he cannot override any decision previously made by the Commissioner. In this case he had all the power necessary to enable him to supply these Indians with the food and medicine they needed—all the power I myself possessed.

Q. On all open questions he had the same power as the Commissioner would have had if he had been here?—A. Yes, sir.

The **CHAIRMAN.** If that point is disposed of, go on and make a continuous statement, such as you may desire.

WITNESS. Have you the paper which I brought here at the last meeting of the committee, containing a tabular statement from the agency? [The paper was handed the witness.] I was not clear in my own mind whether Mr. Leeds, in his testimony in regard to incorrect figures, referred to the figures in this statement, or to those in my annual report.

Mr. **MORGAN.** I think you will remember that he said he took that statement from Major Mizner's letter.

WITNESS. I will refer to both, so that you can see how the matter stands. This statement, on the 23d page of the Report of the Commissioner of Indian Affairs for 1878, you are all probably by this time familiar with. It states that there were distributed to the Northern Cheyennes 1,475,320 pounds of supplies—which was considerably in excess of the treaty requirements. *This* statement, made by Agent Miles and sent to Washington, and which I left with the committee when I was here at its last meeting, I have had carefully compared with that printed in my report; and, on comparison, we find actually a difference of less than one per cent. A difference like that might easily grow out of a clerical error, in a computation as lengthy as this. I have prepared here a tabular statement of the differences between the two. You will see that in reference to some articles Agent Miles's statement of the amount supplied is a little greater than mine, in others a little less; the net result is a difference of less than one per cent.

By Mr. **DAWES**:

Q. Can you tell us how much in pounds?—A. About fourteen thousand pounds in the aggregate; to be exact, 14,458 pounds. The Commissioner's report shows very slightly the largest amount of supplies, except in the single article of flour, in which Agent Miles's report shows the largest supply by 844 pounds. Here is the comparison, in detail:

Articles supplied.	Commissioner's report.	Agent Miles's report.	Difference.
Beef, pounds	1,242,208	1,230,569	11,639
Bacon and lard	20 016	19,800	216
Flour	157,060	157,904	*844
Corn	18,190	15,768	2,422
Coffee	10,425	10,062	363
Sugar	20,950	20,532	418
Salt	2,272	2,258	14
Soap	2,297	2,297	....
Hominy	14	....	14
Tobacco	994	793	201
Baking powder	894	878	16
Total	1,475,320	1,460,861	14,458

*In this case Agent Miles's report states a larger supply than the Commissioner's report.

The number of Indians stated by the Commissioner's report is 860.

The number of Indians by Agent Miles's report is 867—the time of each being the same, viz, from August 5, 1877, to September 7, 1878.

I would say in regard to the published statement in the form of a letter to the Secretary of the Interior, dated the 16th of November, 1878, that this was prepared almost entirely by Mr. Leeds himself. I may have added one or two paragraphs, but not more than that.. This I can substantiate by witnesses, if desired. Therefore, whether it be correct or incorrect, it is his statement. I believe it to be correct. I have never had any reason to doubt its accuracy. There is the original letter [handing it to a member of the committee].

I wish to state in this connection that the appropriations for the Cheyennes and Arapahoes, the Apache, Kiowa, Comanche, and Wichita Indians is and has been insufficient to give them the full amount to which they have been entitled by treaty. That condition of things grows out of this fact: Up to about three years ago these Indians were in the habit of going out to hunt buffalo every winter, sometimes with considerable success. On such occasions the custom was, as I believe was stated to you in the Territory, for the agent to give the Indians two weeks' supply of rations and then issue them no more until their return, the Indians subsisting on what they could get by hunting. In that way an appropriation of a less amount would serve to feed them than would otherwise have been necessary. Why, if you give them an appropriation simply to furnish the treaty ration to these tribes, it would cost for food alone $418,214.63, on the presumption that every Indian is at the agency and draws rations regularly. There are 5,496 Cheyennes and Arapahoes, and 4,117 Apaches, Kiowas, Comanches, and Wichitas.

By Mr. MORGAN:

Q. The estimate and appropriations for the Indians of the tribes you have named are made in bulk, a single appropriation for them all, I understand ?—A. Yes, sir.

Q. Not a separate appropriation for each tribe ?—A. No, sir; and the reason of this I will explain to you. The Wichitas and some of the Kiowas and Comanches are somewhat disposed to support themselves; and the reason these appropriations are bunched together is so as to enable us to borrow, as it were, and take advantage of any surplus that might be saved on account of the Wichita and other Indians I have named being in part self-supporting. These Indians raise considerable corn, and Indians feed upon corn from the time it gets fit for roasting until they gather it in the fall.

Q. One other question: Have the appropriations for these Indians come up to the requirements or estimates made by the department, or have they been cut down by Congress ?—A. O, no, sir; as I said before, until within the last three years a smaller appropriation would suffice, on account of their being absent from the agency for several months in each year on a buffalo hunt.

Q. I asked whether the appropriations have come up to the estimates sent in by the department ?—A. No, sir; they have not. The battle on appropriations (if I may use the word in that connection) is fought with the Appropriation Committee of the House; and for two years they have told us this: "Your appropriations for the Indian service must not exceed in the aggregate $4,710,000." They kindly allow us to distribute that in the best manner possible to feed the Indians; if we can save anything anywhere at one point, we are allowed to apply it to another. I have explained to them, and to the Senate committee also, that the appropriation was insufficient, and they made this arrangement of consolidating the appropriations for the various tribes to enable us to borrow from one point for the benefit of another. It is the hardest work in the world to make the appropriations meet the demands. We are between two fires. We have to feed the Indians and we have to do it within our limited appropriations. But the last appropriation bill, as I have said, contained a clause which had a beneficial effect in enabling us to eke out the year; it was this, that we might use a surplus of supplies occurring anywhere among the Indians to apply where there may be a deficiency of supplies. That will give us, I suppose, about two hundred thousand dollars per annum as a sort of floating fund to put around from one place to another where the demand for the time being is most imperative.

By Mr. **DAWES**:

Q. So, in effect, the whole appropriation is consolidated?—A. Yes, sir; the whole appropriation is consolidated.

By Mr. **MORGAN**:

Q. Does the appropriation which you have just mentioned include the transportation of the supplies?—A. No, sir; the transportation is a separate matter.

Q. This appropriation is simply for the purchase of food?—A. Yes, sir.

Q. It represents the cost price of the food?—A. Yes, sir.

Q. What deficiency did you apply for and obtain, with reference to these Indians for the fiscal years 1877–'78, and 1878–'79?—A. Owing to the buffalo hunt of the preceding winter the regular appropriation served our purpose for the fiscal year 1877–'78, because they had nearly two thousand cattle—over seventeen hundred left on hand, which were carried over and applied on that year. This fact Major Mizner was not aware of, and hence the difference between his office and the Indian Office. Another difference arose because Major Mizner understood beef *and* bacon to be required by the treaty, whereas it is beef *or* bacon. It requires one and a half pounds of beef, or one-half a pound of bacon. Bacon goes very much farther than beef. There is only one difficulty about the substitution of bacon for beef, and that is its tendency to make the Indians scrofulous; for that reason we do not want to feed them so large an amount of bacon.

Q. What is the difference in the cost?—A. As between half a pound of bacon delivered and one and a half pounds of beef delivered, the beef will cost the most. There is another thing, however, in regard to beef; the Indians make use of the entrails—in fact of almost the entire animal; that which white people throw away is utilized by the Indians. You know our issues are all made gross weight. We assume, and as an average no doubt it is true, that one and one-half pounds net are equivalent to three pounds gross.

By Mr. **DAWES**:

Q. And that is, in theory, counted as excluding the entrails?—A. Yes, sir; the Indians have that advantage. I notice that Mr. Leeds kept talking about "merchantable beef," which is simply absurd. In our contracts we call for "merchantable" *cattle*; that is the only place to put the word in connection with the Indian supplies.

Q. The term "merchantable" is used as referring to the *quality* of the beef?—A. Yes, sir; "merchantable" refers to the quality of the beef.

There are some statements contained in the evidence taken by you while out in the Territory to which I would like to refer. I see that it is stated by Mr. Miles that when he and Little Chief were here in Washington, last spring, some promises were made to Little Chief which have not been fulfilled. That is an error. Mr. Miles says (see p. 86 of the testimony) the Commissioner promised to Little Chief and the members of the party with him "fifty dollars each, also a good suit of clothes; and the Commissioner said he would allow them ten wagons and harness, and some cattle * * * I have never been notified that the cattle and wagons had been purchased," and he afterwards repeats that "the wagons and harness and cattle have never been delivered." As I said before, this is an error. The wagons were sent down to the Territory, and arrived there shortly after your committee left there, and the stock cattle for breeding purposes have been contracted for and will be delivered in June next, which is the usual and proper time for the delivery of such cattle.

On page 76 of the testimony I find the question put by Senator Plumb to Agent Miles, "Have all the Indians who wanted them had agricultural implements furnished them?" To which Agent Miles responds, "Not of all the different kinds; this year there has not been enough; some things there are plenty of, other things not." In relation to that matter I would state that the agricultural implements were sent in accordance with a requisition made by Agent Miles for the purpose.

On the same page the question is asked, "Do you know of any reason why all the flour, sugar, coffee, beef, beans, &c., to which these Indians are entitled, could not have been furnished promptly as required?" To this Agent Miles answers, "I know of no reason further than the one they usually assigned, 'No funds on hand.'" Now as to that I would like to make a statement, confining the statement from the 1st day of July, 1877, and up to the 9th day of September in that year. Agent Miles labors under a misapprehension. The appropriation bill passed that year, if I remember rightly, on the 27th of May, and I think bids for supplies were opened on the 18th day of June. After opening the bids, it requires some days to make the awards, to find out who is the lowest bidder, &c. After that, contracts have to be made and executed, and bonds furnished. This, with the utmost promptness and expedition, would occupy at least a fortnight; and very little could be done toward the purchase of supplies before the 3d, 4th, or 5th of July. And there was, that year, a temporary deficiency in flour, which might have been filled by the Acting Commissioner, if he had bought some flour in open market for a temporary supply. When there is a deficiency in flour, we are by law authorized to increase the beef ration, which is considered equivalent; and the Indians very much prefer beef to flour.

On the same page, I see Senator Plumb asked Agent Miles, "Was the beef good in quality?" To which Agent Miles answered, "Well, it was not grossly bad." I hold that to be an improper answer on the part of the agent, because he certifies, when he receives the beef from the contractor, that it is "good, merchantable beef;" and it ought to correspond with his certificate.

On page 77 I find certain questions asked by Senator Plumb in regard to clothing. I would state here that the Appropriation Committee of the House exercised some discretion over this matter of clothing. Their custom is usually—at least it has been for the last three years—to take the number of Indians, and the average cost of the garments to be distributed, and to make the appropriation so as to cover as nearly as possible that amount. But generally the appropriation is short of what it should be.

Near the bottom of page 77 I find this question asked by Senator Plumb: "Why have you not issued to these Indians the articles mentioned in this treaty, or their equivalent?" To this Agent Miles answers, "Simply because they were not sent to me by the government." To that I would add, "Simply because the appropriations were not sufficient to send any more than were actually sent."

By Mr. **MORGAN**:

Q. I wish to inquire whether the proper amount of appropriation was estimated for to cover the full treaty requirements in favor of these Indians?

Mr. **HAYT**. Do you mean for clothing?

Mr. **MORGAN**. Yes, sir.

Mr. **HAYT**. I hardly think they were, and for the reason I have mentioned before—that we have been endeavoring to bring our entire appropriation within the $4,710,000 annually, which Congress allows us.

At the bottom of page 78 of the testimony, the last question on the page is this: "Have you delivered to each Northern Cheyenne, who has removed to this reservation and commenced farming, one good cow and one well-broken pair of American oxen, as required by the provisions of the treaty?" To this question Agent Miles answers, "No, sir." Senator Plumb then inquired, "Why not?" and Agent Miles answered, "I have never been advised from the department to do so, and the cows and oxen have never been furnished me by the department so that I could do so." In regard to that I would say, in the first place, that the agent would have to advise the bureau that he had some Indians, who were about to commence farming, and desired to have oxen furnished for their use. So long as the Indians are doing nothing, and refusing to do any, there is no sense in issuing oxen to them. They could do nothing with them. In regard to what Agent Miles says, in the same answer, about the wagons, &c., promised to Little Chief, I have already explained that the wagons have been sent him since this testimony was taken, and the cows for breeding will be delivered in June.

At the bottom of the 80th page, and top of the 81st, I find the following:

> Q. Did you ever withhold any supplies from any of the Northern Cheyenne Indians that went away, as a punishment for any offense committed, or for any other purpose?—A. Yes, I withheld coffee and sugar.
>
> Q. Under what authority did you withhold those articles?—A. I did it by direction of the Interior Department.
>
> Q. In what shape were those directions of the Interior Department transmitted to you?—A. In the shape of a circular, or, rather, two circulars; one dated March 1, 1878, the other April 15, 1878.

In relation to this, I will state that there is a law, passed, I think, in 1875, the third section, if I remember rightly, of the appropriation bill for that year, in which we were forbidden to distribute these things to Indians who did not work; it says, in substance, that supplies should be given, in all cases, to Indians who did work; and that, in the case of wild Indians, who would not work of their own accord, the Secretary of the Interior was permitted to waive that provision of the law. That is what Agent Miles undoubtedly alludes to in this statement.

By Mr. **DAWES**:

Q. Do you mean to say that there was a law authorizing the Interior Department to withhold from the Indians what the treaty required should be furnished them?—A. Yes, sir; from Indians who would not work.

Q. Does the treaty make work a condition?—A. No; it does not.

Q. Then the law and the treaty conflict in that respect?—A. It would seem so. But that, of course, is a matter which concerns Congress rather than the department.

Near the top of page 87 of the evidence I find a question, asked by Senator Dawes, referring to Little Chief: "Was there not some promise in regard to his children going to school?" Agent Miles answers: "Yes; he objected to his children going to school; and the Commissioner said that he and his band would not be required to put their children in school, but that he must not interfere with others who wished their children to attend the school; he said that the manual labor done at the school, such as chopping wood, &c., was all right and proper, but that he would relieve the children of Little Chief and his band from this, for the present."

Mr. **Morgan**. Little Chief himself testified to the same thing.

Mr. **Hayt**. What Little Chief said to us here was this: that he had but one child, and that he thought a great deal of it, and did not want to send that one child to school. It seems that two or three other children of his had died since coming south, and that made him set greater store by this. I said to him—as to that one single child—"You need not send him to school." I did not refer to his band at all, as the agent supposed.

The agent also says: "I believe ammunition was promised, to kill their beeves with." Then Senator Dawes asked, "Has Little Chief expressed any impatience about not receiving the wagons and cattle promised him?" To which the agent answers, "Not about the wagons or cattle, I believe; but he has about the ammunition." There was a promise made to Little Chief that he might have ammunition to kill beeves with. And that will be furnished him on the requisition of the agent. We do not send ammunition from the office. The agent can get it from the nearest military post.

In regard to sending children to school, we want all the Indian children to go to school, in order to keep the band at that agency. That is our special desire. But on Little Chief saying that that was his only child, and that the rest of his children had died, I thought one child would not make any difference, and I granted his request. But it is a misapprehension on the part of the agent when he says that it applies to any except that one child.

By Mr. **Dawes**:

Q. Let me inquire whether any record is made at the time of what passes in these interviews with the Indians?—A. Ordinarily I have my shorthand writer sit down at the table and take down a record of whatever is said. Whether in this case every word was taken down or not I cannot say. Little Chief and his band were here something like a fortnight. They had their conversation nearly all the time with the Secretary of the Interior, except an occasional conversation in my office.

Q. Is it safe to have these interviews with the Indians, and depend entirely upon the memory afterward in regard to them, when there may be a difference of memory, and a difference of understanding between the Indians and the bureau?—A. It is not safe. I was going to explain further in regard to this case. The Secretary had given it up as impossible to get the consent of these Indians, Little Chief and his band, to remain in the Territory. He turned them over to me, saying, "I can do nothing more with them." They came to my office in the morning, with the agent. I read to them from the treaties and from the law. I said to them that their supplies had been withheld, in accordance with an act of Congress, for one or two years, while in the North," and that it was their duty to obey the law and go South. After a very full conversation they finally agreed that they would stay in the South and be "good Indians."

Q. Of whom are you speaking now?—A. Little Chief and those Indians who came here with him at that time. The promise was then and there made of a suit of clothes and the cattle and wagons. Afterward I had Agent Miles take them to New York, and he had them there, at a hotel, on the 30th day of May. They were in the upper rooms of the hotel, and looked down on the procession of ten thousand soldiers marching up and down the street, in front of the hotel; it was Decoration Day, and the military were out. The scene impressed the Indians very much. It seemed to be the first time that they had really appreciated the power of the government. It was there, at that time, that Little Chief asked me, as a special favor, that his little child might be excused from attending school.

Q. Have you any record of the interview in which he promised to remain in the South?—A. I think I have. My habit is to have a stenographer take down all that is said on such occasions.

Q. Do you remember what it was that he said?—A. I think he said that he never should go back without the consent of the government; he never would bring himself in conflict with the authorities; I think it was to be understood between him and the authorities that he was in favor of going North all the time, but, nevertheless, had given his promise to stay South, and not go back North against the orders of the government.

Q. That was because he was perfectly satisfied that it was useless to contend with the government?—A. He had made up his mind to that before he left here for the West again. He had asked permission to go North, and the Secretary had blankly refused; the Secretary said to him, "If you go, others will want to go also, and the Territory will soon be empty of Indians." And the Secretary added that by law he could not let him go North.

Q. You have said that the appropriation made for these Indians was too small to allow you to fulfill in all respects the provisions of the treaty in regard to their support; what is the amount of the appropriation?—A. The appropriation for the support of the Cheyennes, Arapahoes, Apaches, Kiowas, Comanches and Wichitas, for 1877-'78 was $240,000; for 1878-'79, the appropriation was $240,000; for 1879-'80, the appropriation was $290,000. For 1878-79 there was a deficiency appropriation of $30,000 made by Congress, which brought the appropriation for that year up to $270,000; and we have asked $30,000 more, to finish feeding them up to the close of the present fiscal year. In the month of July, or August, rather, we found that we were going to run very short, and attempted to cut down the rations, thinking that the Indians might, at that season of the year, in part support themselves with corn of their own raising, vegetables, &c. We tried it for a month, but it gave great dissatisfaction and threatened to breed serious trouble. The Secretary was absent, and I telegraphed to him that I thought it indiscreet to go any farther on that scale; but that as he was to meet a number of agents at Muscogee, in the Indian Territory, on the 5th of October, I would like to be advised as to his wishes; as to whether we should feed them full rations, or should cut them down. He telegraphed back that he thought the only safe and proper way was to feed them full rations, and ask Congress to make up the deficiency, whatever it might be.

Q. And you accordingly did?—A. And we accordingly did.

By Mr. MORGAN:

Q. I would direct your attention to page 52 of the evidence, where Little Chief, in reply to the question I asked him, "Why do you not want your children to be sent to school and educated," answered, "Because I love my children, and do not want to see them made slaves of like many children over there who have to chop wood and do other work. I do not want my children used like that, because I love them. Another reason I gave the Secretary of the Interior for not wanting to receive any wagons was because I had no horses to work with them; and there have been no horses issued to me yet." Was there any obligation on the part of the government—either a treaty obligation of any kind, or any promise made to him while here—in reference to the issue of horses to Little Chief?—A. There was no promise except of saddle-horses, and they were to be issued from the agency.

I think Agent Miles is under a misapprehension in regard to another matter. I will read from page 92 of the testimony:

> Q. During the previous portion of this investigation two or three matters have been mentioned or intimated that justice to you requires we should bring to your attention. Some of the Indians have intimated that supplies of annuity, such as clothing, &c., intended by the government for them, have never reached them; that at the school-building there is hidden or hoarded away a lot of stuff that they are entitled to. How is that?—A. There is a quantity of goods up there of the kind that is used to make into clothing for the school children; those goods were delivered there under the authority of the Commissioner of Indian Affairs.

Agent Miles is mistaken in that; there have been no instructions given him from the Indian Office requiring him to store any part of the goods; they are to be distributed to the Indians. Of course certain goods are used for making up clothing for school children. The next question is:

> Q. Let me be sure that I understand you. Those goods in the school building are there by order of the Commissioner of Indiana Affairs, in fulfillment of a contract with Mr. Seger, the school contractor?—A. That is it exactly.

I should have to look at the contract before I could state precisely what it was, and I think I had better bring it with me the next time I come. I think, however, that the agent is in error in regard to that whole answer. There are, undoubtedly, goods shipped from New York for school purposes, in response to a requisition made by Agent Miles for goods for school purposes. But there are no special orders to him to store them; he is not to hold them or "hoard" them, but to use them for the benefit of the children. As to Seger's contract, my impression is that Miles is incorrect in regard to that. What the contract actually is I will not pretend to give from memory, because it would be impossible for me to do so.

Near the bottom of page 93 Senator Morgan says:

> Q. I asked you whether or not, since you had been at this agency, the Government of the United States had furnished full rations for more than nine months in each year. I understood you to answer that it had not. Did I understand you correctly?—A. I think, taking it from the time I commenced here to the present time—not last year, but taking the whole time together—I believe you would find the rations to run from three to five months short.

That goes back to a time before I came into the Indian Office, or had anything to do with its management. But the reason of this deficiency I have already stated, namely, that the Indians were expected to supplement the support furnished them by the government by hunting. By way of illustrating this I would say that if the full legal ration were purchased for the Sioux it would require two millions of dollars annually to support them.

By Mr. DAWES:

Q. The Sioux alone?—A. The Sioux alone. The appropriation reaches about a million and a half, and the other half million required for their support is made up by hunting and agriculture; and that has been the practice of the government with regard to such tribes as can partially provide for their own support. A larger appropriation has been asked for the Sioux every year than we have obtained. We have asked for a larger appropriation this year than we shall probably obtain; we are simply doing the best that we possibly can under the circumstances.

On the 94th page I find the following: Mr. Plumb said—

> Q. I asked separately in regard to the year 1878. I forgot to ask how it was in 1877—whether, during 1877, you had for issue, and did issue, a full beef supply for the entire year, as required by the treaty, * * * from January 1 to January 1?—A. I am rather of the impression that I did then, because, during the winter of 1877, the Indians were out on a hunt for about five months.
>
> Q. Does not the law require you to issue the same amount of beef rations to the Indians whether they are here or not?—A. Why we *can't* issue rations to them if they are not here.

That is a pretty good answer. The practice certainly is not to feed the Indians when they are out on a hunt.

Mr. DAWES. On the 53d page you will see what Little Chief's feelings were at the time we were out there:

> I hope that what you hear here you will carry to Washington, and intercede for us there, that we may go back to the country God gave us in the North. I do not intend to go back there unless the government allows us to do so. I do not intend to act foolish; but I do want to go back to the country I was born and raised in.

Mr. HAYT. I have no doubt of that; I have no doubt he wants to go back.

EDWIN J. BROOKS.

WASHINGTON, D. C., *February* 4, 1880.

EDWIN J. BROOKS sworn and examined.

By Mr. PLUMB:

Question. Mr. Brooks, what is your position in connection with the Indian Bureau?—Answer. I am at present chief clerk.

Q. Have you brought with you the memoranda and documents which the committee requested?—A. I have [indicating a bundle of papers and memoranda which he had brought.]

Q. This [taking up one of the papers from the package] appears to be a sort of chronological memoranda relating to the supplies of medicine sent to or needed by the Indians?—A. Yes, sir.

Q. Please state to the committee what the transactions of the department were in connection with those medicines; what amounts were furnished, when they were furnished, what correspondence was had in regard to the matter, whether there were any delays in forwarding those medicines, and if so, the cause of those delays; and any other information you may have upon the subject.—A. I would like to state, to begin with, that I was not chief clerk in the office at the time of these transactions, and know nothing of them from my own personal knowledge. I have only set down there, in order, a memorandum of the documents I find on file in the office relating to this subject. The first thing I find on the files of the office is that the bids for supplying the medicines were opened on the 18th of June of that year (1878).

Q. Were not all the contracts for supplies—not only medicines, but other supplies—opened on that day?—A. Yes, sir; the contract for medicines was awarded to Orlando H. Jadwin, of New York, who signed the contract on the 30th of July.

Q. But the contract was not perfected on that day?—A. It appears to have been examined and approved by the Board of Indian Commissioners on the 17th of August, and their action approved by the Acting Secretary of the Interior on the 24th of August.

Q. Will you identify that? [Handing witness a contract between the government and Calvin Hood, for the supply of beef for the same year.] The witness identified it.

Q. The contract for the beef was let, and bids therefore were opened at the same time as that for medicines?—A. Yes, sir.

Q. State whether the beef contract for that year was actually closed on the date therein set forth.—A. [After examination of the contract.] As I said, I have no personal knowledge of these matters, but from an examination of the documents, and the indorsement thereon, it would appear so.

Q. And that beef contract was perfected on the 16th of July?—A. Yes, sir.

Q. Do you know any reason why a contract for medicines let in New York—the medicines to be put up in New York—should not have been signed and delivered as early as a contract for beef, let at the same time to a man in Kansas?—A. I cannot state any reason; I do not know of any.

Q. Have you any means of knowing precisely when these medicines were delivered at the agency?—A. I can tell you from this memorandum; they reached the agency on the 17th of January.

Q. Of the following year?—A. Yes, sir.

Q. State what reason, if any, you know of, for the delay in the delivery of the medicines.—A. The only reason I know of is the failure of the contractor to comply with his contract to deliver them within the thirty days required by his contract. As I said before, I only state in this matter from the records; I was not chief clerk at that time, and had nothing to do with the matter.

Q. The contract was for delivery at the agency, was it?—A. I think not; I think they were to be delivered, and were delivered to a certain contractor named Fenlon, in New York City, and he had the shipment of them. On the 3d of September, the Commissioner telegraphed to Seward to hurry up the medical supplies. The thirty days from the date of the agreement would have expired on the 30th of August. On the 24th of September, the office told Seward to tell Jadwin that unless he delivered the medicines immediately, the purchase would be made of other parties, at his expense, under the contract. The medicines were not shipped till the 29th of November, under Fenlon's contract.

Q. Do you know what the statement of the agent was, of the amount of medicines needed at this agency that year?—A. I think you have it there; but his estimates are revised here.

Q. By whom were the agent's estimates revised?—A. By the surgeon of the Pension Office here; there was no medical officer in the Indian Bureau then. The articles marked with a blue line were struck out by the pension surgeon.

Q. As being unnecessary?—A. Yes, sir. That [indicating one of the documents he had brought] is the whole contract, not only for the Cheyennes and Arapahoes, but for all the Indians down there; this [indicating another paper] is the estimate for the Cheyennes and Arapahoes only.

Q. Do you know how much of this anti-malarial medicine was intended for the Cheyenne and Arapaho Agency?—A. This will show; it says, "cinchonidia, amount on hand, none; needed 75 ounces;" quinia, sulphate of, in ounce bottles, 17 ounces on hand; 75 ounces needed."

Q. This estimated of Agent Miles says 267 ounces of quinine are needed; and this [indicating the one prepared by the medical board] calls for 320 ounces?—A. I was referring to the revised estimate; the one revised here by the surgeon of the Pension Office.

Q. State what amount of cinchonidia and quinia was actually sent to the Cheyennes and Arapahoes?—A. Seventy-five ounces of cinchonidia and seventy-five ounces of quinine.

Q. That was the amount that was finally sent them—reaching them on the 17th of January of the next year?—A. Yes, sir; but there were other purchases made, prior to that time.

Q. State what amount of medicines were furnished the Cheyennes and Arapahoes during that summer—after the 30th of June, 1878, and prior to the 17th of January, 1879—and the dates when such medicines were furnished?—A. On the 10th of August, the office authorized Kingsley to buy fifty ounces of quinia for the Cheyennes and Arapahoes.

Q. Five, isn't it?—A. No. Fifty. On the 14th of August, the office ordered Nicholson by telegraph to buy ten ounces—which I suppose was furnished; I do not know anything to the contrary.

Q. You do not know when Miles received that?—A. No, sir; there is nothing to show whether or not it was ever actually purchased at all; there is nothing on file about it, except the order to purchase.

Q. Who are these men, Kingsley and Nicholson, whom the office ordered or authorized to purchase medicines?—A. Kingsley is one of the Board of Indian Commissioners; he lives in New York. Nicholson was superintendent of Indian affairs down there; he lived in Lawrence, Kansas.

Q. Have you any further memoranda there, in reference to these medicines?—A. Yes, sir. On the 16th of August, Agent Miles wrote the office that he had not a grain of anti-malarial remedies during the quarter; that he had borrowed all that the neighboring post could supply (by that he meant Fort Reno, which is within two or three miles of his agency), an d could now only quietly see the Indians die.

On the 2d of August, Agent Miles acknowledged the receipt of ten ounces of medicine, and said it would last just one week.

On the 10th of October, Agent Miles sent to the office a letter from the agency physician, setting forth the great need of medicines.

On the 12th of October, Miles was authorized to purchase two hundred dollars' worth of medicines.

On the 29th of November the medicines were shipped from New York.

On the 10th of December, Mr. Campbell—he is Miles' chief clerk—telegraphed to the office that they were in urgent need of medicine.

On the 14th of December, the office telegraphed Miles that if he did not find the medicine at Wichita—the nearest point on the railroad to the agency—he was authorized to buy a hundreddollars' worth.

On the 19th of December, Miles telegraphed that he did not find the medicines at Wichita, and that he had bought medicines, as he had been authorized to do.

On the 28th of December, the office told Fenlon to trace up the medicines and hurry them on.

On the 17th of January, the medicines were delivered at the Cheyenne and Arapahoe Agency.

I have brought with me here copies of everything received or sent, bearing upon this subject, except two telegrams—one of September 3d to Seward, telling him to hurry up the medical supplies, and of September 23d, to Miles, in relation to medical supplies; copies of those telegrams I have not been able to find. I suppose they were sent and not press-copied—just memoranda made of them. [For the documents above referred to, see appendix.]

Q. You stated that Kingsley was authorized to purchase fifty ounces of medicine for the Cheyenne and Arapahoe Agency?—A. Yes, sir.

Q. What is the date of that?—A. The 10th of August. I have a copy of that letter here; it is signed by Leeds, and says—on reading it over I see that twenty-five ounces were to be sent to the Cheyenne and Arapahoe Agency, and the rest were to be sent to Indians at the Quapaw Agency and elsewhere.

Q. Then the Cheyennes and Arapahoes were to have twenty five ounces of quinine, and not fifty?—A. Yes, sir; twenty-five.

Q. This telegram to Nicholson, of the 14th of August, authorizing him to buy ten ounces of quinine, and this of the 21st of August, from Miles, acknowledging the receipt of ten ounces of quinine, both refer to the same quinine, do they not?—A. Yes, sir; I presume so.

Q. That shows that it was possible, at any time, to furnish a supply of medicine to that agency inside of seven days?—A. Yes, sir; by an open market purchase; but the law requires us to contract. That is what is termed an "exigency purchase."

Q. Please state when the contract with Mr. Jadwin was really approved?—A. It was approved on the 24th of August, finally.

Q. Then until the 24th of August, Mr. Jadwin was under no obligation to commence the delivery of medicines?—A. No, sir; because the contract was not completed.

Q. Was it not a part of the contract that he should deliver within thirty days of that period?—A. I think that was the contract.

Q. I believe that is all the questions I have to ask, Mr. Brooks; but if you have any further information in regard to these matters we should like to have you state it to the committee.—A. There were three statements of estimates which I was called upon to furnish. One was an itemized statement showing the weight of each head of cattle delivered during a certain period which you specified. To furnish it would take us two or three weeks. There were about seven thousand head of cattle furnished.

Q. Could you tell whether, in issuing the beef to the Indians, cows were issued at full weight: for instance, if a cow weighed eight hundred pounds, was that cow issued to the Indians as eight hundred pounds of beef?—A. That I cannot tell you, but I think so—in gross.

Q. Will you look the matter up, and ascertain whether such was the case or not?—A. I will do so; I can tell you one general fact, gentlemen, which cannot be denied; those Indians were on short rations, and have been every year, for several years past, until the present.

Q. What has been the cause of this?—A. Simply because the appropriations have been insufficient to purchase the full supplies.

Q. This one fact might or might not be material, but the committee desire to know it—whether the Indians were charged with a cow as so much gross weight, the same as a steer?—A. I am not sure about that; it is a question which has never come to my attention before.

Q. Could you ascertain in reference to that point, without going through and copying all this paraphernalia of documents?—A. I presume I could.

Q. Then you can embody it in a little statement that will be sufficient for our purpose, showing whether any allowance and addition was made to the supply of beef to the Indians on account of a part of the supply being cows.—A. I think there was not; but I will look the matter up and see.

By the CHAIRMAN:

Q. Do you know whether the contracts are made for the delivery of steers only, or of steers and cows alike? What is the rule of the Indian Office about that?—A. As I said, that is a matter to which my attention has never before been called.

By Mr. PLUMB:

Q. The contract calls for "eight millions eight hundred and five thousand pounds gross," of "beef-cattle on the hoof, at $2.69½ per 100 pounds gross weight;" and adds, "provided, that for all cows delivered under this contract a deduction of twenty per centum on the price stipulated in article one shall be made." The question is, was such a deduction made, and did the Indians get the benefit of that deduction?—A. It was, and the Indians had the benefit of the deduction. I presume they were issued to the Indians at full weight; but I will ascertain by examination at the office.

Q. Please ascertain also, if you can without too much labor, the number of cows that were issued in proportion to steers?—A. I will do so.

By the CHAIRMAN:

Q. I see in this statement of the amounts estimated and amounts appropriated for the support of the Arapahoes, Cheyennes, Apaches, Kiowas, Comanches, and Wichitas, this item, "Deficiency estimate now before Congress for action, $80,000"?—A. Yes, sir; that deficiency is caused by the failure of the crops down there on account of the drought. The attention of the office was called to the matter by Secretary Schurz, when he was in the Indian Territory last summer. We intended to bring the supply within the appropriation, and undertook to do so; but the Secretary telegraphed us to issue full rations of beef, and trust to Congress to supply the deficiency.

Q. This [referring to another portion of the document] refers to the appropriation for the fulfillment of the treaty?—A. Yes; there has been very little deduction there; nothing that affects the Indians particularly; there has been a change of $52,000 to $42,000—caused by a revision of the estimate; *this* estimate contains the appropriation for the transportation of supplies; *this* does not.

Q. Please state, in order that the stenographer may have it placed upon his record, what this document is.—A. That is a statement of the estimates and the appropriations for the years 1877, 1878, 1879, 1880, and 1881—the fiscal years ending June 30th, of each year.

Q. The estimates are made upon what are supposed by the bureau to be the necessary requirements of the service; to fulfill the agreements of the government with the Indians?—A. Yes, sir.

Q. State the amount estimated and the amount appropriated, each year.—A. For the year ending June 30, 1877, the amount of the estimate was $300,000; amount appropriated, $250,000. For the year ending June 30, 1878, the amount of the estimate was $300,000; the amount appropriated, $240,000. For the year ending June 30, 1879, the amount of the estimate was $274,000; the amount appropriated was $240,000; besides which Congress passed a deficiency bill appropriating $30,000 more. For the year ending June 30, 1880, the amount of the estimate was $300,000; the amount appropriated was $290,000. And there is now before Congress for action a deficiency estimate for $80,000, on account of our giving the Indians a full supply of beef, as directed by Secretary Schurz in his telegram from the Indian Territory, to which I have before referred. He saw that the crops were almost an entire failure, so that the Indians could not get their usual amount of support from that source, and he telegraphed to the office here to give them full rations and trust to Congress to make up the deficiency. For the fiscal year ending June 30, 1881, the amount of the estimate is $350,000; the committee of the House has agreed to allow $315,000.

By Mr. PLUMB:

Q. The Indians have been getting full rations of beef since the Secretary's telegram?—A. Yes, sir.

Q. The estimate of the department for food has not been to supply the Indians with the full amount during the entire year which the treaty called for, but only for the amount necessary, as was supposed, to make up the amount, added to what the Indians themselves might produce?—A. Yes, sir.

Q. And what it was supposed they could produce?—A. Yes, sir. I think there has been a mistake in not making estimates for full amount required; but the rule has been practically laid down in the House that we could have just so much in our general appropriation and no more, and the office has confined itself within those limits.

Q. There is no reason why the office should not estimate for all that was required, and then, of course, leave the responsibility with the House?—A. But, you see, the House never has appropriated what we have asked.

By the CHAIRMAN:

Q. Are these estimates for food?—A. Yes, sir; for support—supplies.

By Mr. PLUMB:

Q. This document [indicating one which he had taken up] is for clothing?—A. Yes, sir; and for expenses of the agency, and things of that kind.

By Mr. DAWES:

Q. These estimates which you have given are the aggregate for three agencies, are they not?—A. No, sir, for two agencies; the Cheyenne and Arapahoe and the Kiowa and Comanche.

Q. Who apportions the amount between the two?—A. That is done by the office.

Q. On what basis?—A. In proportion to the number of Indians at the two agencies.

Q. Are the Indians at both agencies entitled by law to the same amount of supplies?—A. Yes, sir.

Q. Then by supplying them what the law requires would involve a deficiency of how much?—A. I do not remember the amount.

Q. For how many years past has Congress failed to appropriate for the supplies of the Indians what the law entitles them to?—A. Since 1877.

Q. When, for the first time, did the department give them the full ration which the law entitles them to?—A. My understanding is that they never received their full rations until last summer.

Q. It is the theory of the government to supply them with what, in your judgment, is enough to make up the deficiency that is not supplied by their own exertions; that is the theory on which they are fed?—A. Yes, sir.

Q. Without regard to what the law entitles them to?—A. More directly with regard to the amount of the appropriation; we have been governed by the appropriation.

Q. And the appropriations, since 1877, have fallen short of what the law requires by the amounts you have heretofore stated?—A. Yes, sir.

Q. Is the estimate in each year up to what the law requires?—A. I do not like to answer definitely as to that, because I was not in the office when these estimates were made.

Q. According to your statement here, Congress in each year has fallen short of the estimate of the Indian Office?—A. Yes, sir; I think if we had had the full amounts we estimated for, we could have fed the Indians sufficiently and without complaint on their part.

Q. Have you known at the office, since 1877, that the Indians have suffered for want of the full appropriations—appropriations in accordance with your estimates?—A. I have known it since I became chief clerk in the office, and these things have come under my supervision.

Q. How long has that been?—A. About a year.

Considerable conversation ensued among the members of the committee as to what documents among those brought by Mr. Brooks should be inserted as part of the evidence, and what need not be. The conversation turning upon the Jadwin contract for supplying medicines, the following remark was made by

Mr. BROOKS. I will state from my general knowledge that I do not think there has been a contract approved this year by our office but has been returned from once to half a dozen times.

Mr. PLUMB. What for?

Mr. BROOKS. On account of some failure in completing the bonds, or in drawing the contract up in proper form.

Mr. PLUMB. Does not the office furnish blanks?

Mr. BROOKS. Yes, sir; but the contractors do not notice or do not understand the directions on them. Even when we pencil in what is to be inserted they will not follow the pencilings.

By Mr. DAWES [examining the Jadwin medicine contract]:

Q. How long does it take goods to get from here, or say from New York, to the agency, the Cheyenne and Arapahoe Agency?—A. About a month. It was the 29th of November before those medicines were shipped.

Q. If this contract had been fulfilled, and the medicines shipped within thirty days, and then thirty days more allowed for them to reach the agency, they would have been on the ground by the 24th of October?—A. Yes, sir.

Q. But it was the 17th of January before they actually did reach there?—A. Yes, sir.

By the CHAIRMAN [examining the Jadwin medicine contract]:

Q. This approval is by whom?—A. By the Board of Indian Commissioners, and by the Secretary of the Interior.

Q. Does the law require the submission of the contract to the Board of Indian Commissioners?—A. I think it does, sir; that is the usual course.

Q. That is the board of which General Fisk is a member?—A. Yes, sir; you see, there are a great many cases of delay in sending these contracts backward and forward from one office to another in the course of securing the necessary approval.

Q. Explain, in a connected form, the whole thing from the beginning; the different operations that have to be gone through with.—A. Well, in the first place, the contracts are advertised to be let. Different bidders send in their bids; on a certain day the bids are opened; then they have to be compared to see which is the lowest bid; after the award is made the party is notified that his bid has been accepted, and a blank form of contract and bond is sent to him. He fills out the contract, signs it, and sends it to the office. If it is in proper form it is signed by the Commissioner and forwarded to the Board of Indian Commissioners. There are hardly ever two of them in the city, and the contract goes from the office here to New York, or to Providence, or wherever they can pick up a member; this, I see [examining the contract for medicines], went to New York; that is where Mr. Kingsley lives; he has an office there; and to Maryland, where Mr. Roberts, another member of the board, lives. After that it is sent back to the office of the board here—and sometimes a contract has to go a much greater round than that, or wait for some one of the commissioners who is absent to return home. From the office of the board here it is transmitted to the Secretary of the Interior, and he approves it and sends it back to our office to be recorded, and then it is forwarded to the Second Comptroller of the Treasury. That is the course in case there are no errors of form in getting up the contract rendering it necessary to do the work over again.

Q. When an estimate, say, for medicine, by the officer at an agency is sent in to your office, is it submitted to any board or any officer for revision? If so, what board, or what officer?—A. Ordinarily, to the officer in charge of the medical division of our office. That year we had no officer in charge of the medical division, and the list was revised by Dr. Hood, of the Pension Office.

By Mr. DAWES:

Q. Is there a bond accompanying this contract [referring to the Jadwin contract for medicines] for its faithful fulfillment?—A. Yes, sir; a bond of five thousand dollars.

Q. Do the Board of Indian Commissioners approve the bond?—A. The bond accompanies the contract. My recollection is, though I may be mistaken—my recollection is that the bond is approved by the district attorney, or the United States judge of the district.

Q. They do not have to pass on the sufficiency of the bond?—A. No, sir.

Q. Who is this contractor?—A. His name is Jadwin, Orlando H. Jadwin.

Q. Where does he live?—A. In New York City.

Q. What is his business?—A. I think he is a wholesale drug merchant; that is my recollection.

Q. Were you aware at the office, during all this red tape procedure, from May till August, of the condition of the medical supplies at the Cheyenne and Arapahoe Agency, and that the Indians there were dying for lack of this medicine?—A. I can only answer that by referring to the record; I was not in charge at that time.

Q. Was this contract for medicines for that agency alone, the Cheyenne and Arapahoe Agency?—A. No, sir; it was for all the agencies.

Q. Was the supply for the other agencies as far behind as that for the Cheyennes and Arapahoes?—A. I could not state as to that. I was requested to examine for this agency, and I did not make any examination as to any other.

Q. The agencies in the Indian Territory would ordinarily stand in quite as much need of medicines as those in the more northern part of the country?—A. Certainly.

Q. You do not know where they were delivered first?—A. No, sir; I do not know. I suppose they were delivered as they were brought in. We have a warehouse in New York; the contractor puts up the goods for an agency, sends them to the warehouse, and there they are unpacked and inspected. If, on inspection, they are found to be all right, they are forwarded to the agency for which they are designed.

Q. You say these medicines were put up in New York in November. Do you mean the medicines for this particular agency, or for the agencies in general?—A. For this particular agency, they were shipped from New York on the 29th of November.

Q. You say the contract requires their delivery in New York?—A. Yes, sir; they were to be delivered at the government warehouse, in New York, and shipped, under a contract between our office and Edward Fenlon, for transportation to those agencies.

Q. You took them at New York, and distributed them among the agencies at that point?—A. They were put up, boxed, and marked by the contractor; then they were taken to the government warehouse and there unpacked, inspected, and repacked.

Q. This was done by the government?—A. Yes, sir; by a government inspector there.

Q. Then what is the next step?—A. He delivers them to the transportation contractor for transportation to the agency.

Q. Do you know where the fault lay, that those medicines were not delivered at the Cheyenne and Arapahoe Agency until the 17th of January?—A. I do not.

Q. Is there any correspondence on file in the department urging an earlier delivery?—A. Yes, sir. On the 3d of September, the Indian Office telegraphed to Seward to hurry up the medical supplies; on the 24th of September they told him to tell Jadwin that unless he delivered immediately purchase would be made of other parties at his expense, and on the 28th of December they sent word to Fenlon to trace up the goods and hurry them on.

Q. To "trace them up"; then they had got lost?—A. I do not know that they had got lost; they were delayed somewhere between New York and the agency. We had the date of their shipment, of which we had been advised by Fenlon, and we knew that they had not arrived at the agency by a telegram from the agent.

Q. Was there any telegram received from the agency about that time?—A. There was. About the 10th of December, Mr. Campbell, the agent's clerk, telegraphed for medicine; on the 14th of December, the office telegraphed Miles that if he didn't find the medicines at Wichita he might buy a hundred dollars' worth, and Miles replied by telegraph, December 19th, that he did not find any medicines there, and so had bought a hundred dollars' worth.

Q. That shows that the goods had not reached Wichita, the end of the railroad, on the 19th of December?—A. No, sir.

Q. How long a time were they on the route between New York and

Wichita?—A. Certainly from the 29th of November till the 19th of December, and probably considerably longer.

Q. You say there was some correspondence, by telegraph or otherwise, between the department and the contractor, telling him that, unless he hurried up the delivery of the medicines, they would be purchased in open market at his expense?—A. Yes, sir.

Q. That would seem to indicate some trouble between the department and the contractor?—A. It would indicate delay on the part of the contractor.

Q. What was the date of that dispatch?—A. The 24th of September.

Q. And the goods were delivered when?—A. On the 29th of November.

Q. Is there any further correspondence than you have already mentioned between your office and the contractor?—A. There is not, that I find any evidence of.

Q. Has not the department evidence of repeated application by the agent for medicines, and representations of the distress that was resulting for lack of them during that time?—A. Yes, sir.

Q. At what dates?—A. On the 5th of July Mr. Miles stated in his monthly report that the Indians at his agency were suffering for want of medicine. On the 3d of August he telegraphed for a hundred ounces of quinine. On the 16th of August he wrote that they had not had a grain of anti-malarial remedies during the quarter; that they had borrowed all that the neighboring post could supply, and now could only quietly see the Indians die. On the 21st of August Miles acknowledged the receipt of ten ounces of quinine, purchased by Nicholson at Lawrence, Kansas, and said it would last him just one week. On the 10th of October Miles sent a letter from the physician of the agency, setting forth the urgent need of medical supplies. About the 10th of December Campbell, the agent's clerk, telegraphed that they needed medicine very much. And I think nearly every one of Agent Miles's monthly reports to the department set forth in strong terms their need of medicine at his agency.

Q. What did the office do with this contractor in the mean time?—A. They did not do anything.

Q. Did they ever know what was the reason they did not deliver them before?—A. I do not know.

Q. So the Indian Bureau was made acquainted with the distress of the Indians at this agency, all along?—A. They received those letters and telegrams which I have mentioned.

By Mr. PLUMB:

Q. You were speaking about the machinery whereby a contract was consummated; will you state whether or not, in the ordinary course of business, it takes a less or a greater time to consummate a contract with a contractor living in New York than with one living west of the Mississippi River?—A. Ordinarily, of course, a contract could be consummated soonest with the man living nearest; but most of the contractors living west of the Mississippi are likely to be East, or to have an agent here, and their contracts are generally made up in the office by their eastern agents here.

Q. Do you know when the beef contract for that year was finally approved?—A. I think on July 17th it was finally approved by the Secretary of the Interior. I find it so indorsed on the back of the contract.

Q. Do you know whether the man who contracted to furnish that beef lives East or not?—A. I do not know; I had nothing to do with these contracts.

Q. You stated that the approval of the Board of Indian Commissioners was required. I observe this is signed by the executive committee?—A. I think the executive committee of the Board of Indian Commissioners consists of four persons, any two of whom can act. I see that Barstow and Stickney approved that.

Q. Stickney lives here in Washington, does he not?—A. Yes, sir; he is secretary of the board.

By the CHAIRMAN:

Q. That contract is for how many agencies?—A. I think, all of them. I think it is possible it may not be for the agencies west of the Rocky Mountains; my impression is that the supplies for them were bought in open market, by advertisement in the San Francisco papers. That is a consolidated estimate in there.

By Mr. DAWES:

Q. What was the entire amount of expenditures for medical supplies?—A. I can only say it was presumably within the amount of the bond.

By the CHAIRMAN:

Q. This, I understand, is the gross amount for all the agencies east of the Rocky Mountains?—A. I think so.

Q. By whom is the gross amount apportioned between the different agencies?—A. By the office; but a revised estimate is made for each agency, and the contractor is furnished with a copy of that. There [indicating one of the documents which he had brought] is the consolidated estimate upon which this contract was awarded. In this case, I see that Miles reported that he had on hand at the time the contract was awarded, a certain number of ounces of quinine and needed so many more. This was cut down because the appropriation was too small, and in its place, or to partially supply its place, a cheaper kind of medicine was sent, so as to get along with the appropriation.

Q. By whom was the estimate cut down?—A. By Dr. Hood, the surgeon of the Pension Bureau. It was referred to him, and he cut it down wherever he thought he could. Why, if we should supply all the medicines estimated for by the agency physicians it would require four times the appropriation that we have, at least. Another thing worthy of being noted is, that Miles estimated for the *Southern* Cheyennes, who were acclimated; and when the *Northern* Cheyennes came down there, being unaccustomed to that hot, malarious climate, they were much more subject to sickness than those who had always lived there.

By Mr. PLUMB:

Q. What is this [indicating one of the documents]?—A. That is the revised estimate by Dr. Hood.

Q. What is the difference between the estimate for cinchonidia, as originally made by the agency physician, and as revised by Dr. Hood?—A. The agent estimates for 192 eight ounce bottles, and is allowed 80 eight-ounce bottles.

J. K. MIZNER RECALLED.

WASHINGTON, D. C., *February* 4, 1880.

Maj. J. K. MIZNER was recalled and examined.

By Mr. MORGAN:

Question. Major Mizner, I would like to ask you whether, since the time we were at Fort Reno, any improvement is observable in the temper or disposition of the Indians in regard to remaining south?—A. Little Chief is as discontented as ever. He never has expressed himself except in one uniform way. He has always expressed the same desire to get back.

Q. Do you regard his presence there as an element of dissatisfaction, or even of danger, with reference to its effect upon the other Indians?—A. Yes, sir; to some extent. I think he is disposed to do right, and to exert his influence to restrain his people; nevertheless, the expression of his feelings of dissatisfaction with the Territory and of his desire to return north causes, or, rather, enhances and aggravates a feeling of dissatisfaction that extends beyond his own band to some of the Northern Cheyennes that came there previously.

Q. Do you think it possible or probable that another party will attempt to leave in the spring?—A. I hardly think they will attempt to make up any party to leave in a body, but I rather think they are planning, in the spring, to leave in small parties, so as to elude pursuit and reach the northern country.

Q. What is your opinion as to the probability of there being shortness of food for the Indians during the present fiscal year?—A. Unless some additional appropriation is made there must be a great lack of food—a serious deficiency of supplies.

Q. About to what extent?—A. I have been furnished with about the amount and cost of rations, and from that I estimate that there will be a deficiency of about eighty thousand dollars; that is, to purchase a full supply for the 5,480 Indians now at that agency.

Q. Is there as large a number of Indians as that at agency now?—A. That is the exact number. The number has for years past been constantly increasing. In 1876 the number was but about 3,700, and from that time until now the number has increased until at the present it is 5,480. And it is worthy of notice that while the number has increased, there has been no increase in the amount of appropriations made for their maintenance, until the past year.

Q. Is there anything else you would like to say before the committee closes its session?—A. Since arriving in town I have been reading over my testimony in printed form, and I find one or two little errors I would like to correct. On page 121 I am reported as saying, "I was stationed twenty years at Fort Laramie." What I said or meant to say was, "I was stationed twenty years *ago* at Fort Laramie." On page 124 I am reported as saying, "General Mackenzie himself was present; I had direction over the three posts in the Indian Territory;" that should be "*he*," that is General Mackenzie, "had direction over the three posts in the Indian Territory." Those are all the errors I see worth noting; but if there is any way of correcting them, I should like to have it done.

N. A. MILES.

WASHINGTON, D. C., *April* 26, 1880.

General N. A. Miles sworn and examined.

By the CHAIRMAN:

Question. Please look at the testimony of Little Chief, on page forty-seven of the pamphlet containing the printed testimony taken in relation to the removal of the Northern Cheyenne Indians, and say what ever you may desire in regard to the statements made by Little Chief.—Answer. The history of that matter, as nearly as I can remember, is this: Those Indians—Little Chief's band of the Northern Cheyennes—surrendered to me in the spring of 1877. They were given their choice—to surrender there, as prisoners of war, or to go to their agency and surrender at the agency. They were told that as long as they remained there and behaved themselves they would be well-treated; and what disposition would be afterward made of them would depend entirely upon the authorities at Washington. They remained there during that spring and summer. I used a few of them—three of them, I think—as guides; their knowledge of that country was very valuable to me at that time. I found that they rendered me good service.

Later in the fall, when I made a campaign after the Nez Percés, I took thirty of them along as scouts. They made excellent scouts, and rendered very good service. Two of them were wounded in that fight. In the mean time, after their surrender, I took away the most of their war ponies and sold them, and bought cattle with them. I required them to surrender their arms. Occasionally I would allow a party of them to go out to hunt buffalo; and when it was necessary I would loan them the few arms required. I sent them out in charge of an officer or sergeant, and a squad of men.

In the engagement with the Nez Percés we captured a large number of horses, ponies, and mules—about eight hundred altogether. I gave the men that were engaged in that fight about five ponies apiece, I think, as a reward for their services.

After we came back to the Yellowstone, and had remained there a short time, I received an order to send the Nez Percés to Fort Lincoln; also to send all the Indians at Fort Keogh to Fort Lincoln. This included Little Chief's band. I afterward got permission to retain about thirty families, as I needed them for scouts and guides. The Indians took the order to go to Fort Lincoln very hard; they were very much opposed to being sent away from that country. They pleaded for a week to remain, during which time the command was getting ready to escort them.

Q. Where is Fort Lincoln?—A. About three hundred miles east of Fort Keogh, Montana, where they were; it is at the terminus of the Northern Pacific Railroad. The order to remove them was peremptory, and had to be complied with. I informed them that they had better go peaceably, because I had no discretion in the matter. They remained there the remainder of the autumn and winter.

Q. At Fort Lincoln?—A. Yes, sir; at Fort Lincoln. In the spring Little Chief got permission to come up to Fort Keogh to see some of his relatives and friends that remained there; he had been in the mean time informed that he must go down to the Indian Territory. He came to see me, and inquired of me whether there was not some way in which he could remain in the northern country. I told him that he must comply with the order, whatever it was; that he had better make no resistance, but go peaceably and keep his band together—not allowing them to commit any depredations or to break away. By doing so, I told him, he would at least earn the good-will of the authorities; and then any request that he might make would be received with more consideration than if he should attempt to resist, or if any of his people should break away. I told him I believed that the authorities would consider the fact that they had behaved well, and that some of them had rendered good service in the campaign against the Nez Percés. Besides, I told him he might not find the Indian Territory so disagreeable as he feared it would be; it would do no harm, at least, for him to go down there and try it, and he might like the country better than he thought he would. I finally told him that if he found that he could not live there, if he found that it was a country unsuited to him and to his people, the best thing he could do would be to ask to be allowed to return to the north. That is the only difference that I see between his statement and my recollection of the conversation that occurred between us on that subject. He states that I informed him that he could go back north. My statement is that if he found that he could not live there, the best thing he could do would be to *ask* the President to allow him to go back. I, of course, had no authority to tell him that he could go back; no subordinate officer had.

As to the arms that he speaks of, I do not know that they had any arms when they left Fort Keough; I do not think they had; they had a few ponies that I had allowed them to retain, of no particular value to any one but themselves, also those that I gave them after the herd was captured from the Nez Percés. A portion of the money that was received from the sale of ponies that Little Chief's band surrendered was held for them, I think, for nearly two years. I wrote several communications about it, and requested the authorities to direct me to send it to some officer in the Indian Territory, in order that it might be expended for cattle. A portion of the money that belonged to the band that remained on the Yellowstone was expended for a herd of cattle, which they have now.

I will add that I at the time regarded the order sending these Indians down to the Indian Territory as unfortunate and the movement unwise. Those of the same tribe that remained north have for more than two years supported themselves, without receiving any aid from the government except what they earned. And a more contented, loyal band of people cannot be found in the United States.

Q. Where are they now?—A. At Fort Keogh, Montana.

Q. Where is that?—A. On the Yellowstone River, near the center of Montana.

Q. What are they doing?—A. They are taking care of their cattle, cultivating fields of corn, raising vegetables of every kind that they require. A few of them are employed as scouts and guides. And then occasionally they are allowed to go out and hunt buffalo, and gather meat enough to keep them in food. When they first came in they were in a very destitute condition; now they are as comfortably fixed as any Indians that I know of.

Q. Do they cultivate the ground by their own labor?—A. Yes, sir.

Q. To what extent and with what success?—A. The small band of Indians there have raised more out of the ground, according to the reports that I have received, than the Indians at Spotted Tail and Red Cloud Agencies, where the government has been spending millions of dollars.

By Mr. DAWES:

Q. What is the number of these Indians of whom you are now speaking?—A. About four hundred.

Q. They are a part of the Northern Cheyennes?—A. Yes, sir; a part of the tribe that surrendered when Little Chief's band surrendered.

Q. They never went down to the Indian Territory?—A. No, sir; and for more than a year I have had Little Wolf's band, who did go down to the Indian Territory, but ran away and went through Kansas and Nebraska and committed so many depredations and made so much trouble. They have been there for about a year and a half. They are doing the same as the others.

Q. How many are there of them?—A. About thirty men, besides the women and children.

Q. Do they seem to be satisfied and contented there?—A. Perfectly contented and perfectly well satisfied. They say they would rather die than to be sent back to the Indian Territory. After they were disarmed something was said about their going back to the Indian Territory, and they said "they would rather die where they were," "that we might commence killing them at once."

By the **Chairman**:

Q. Do they understand that they live under the constant liability of being sent back there if they do not behave well?—A. Yes, sir.

Q. Do you think that has any restraining influence on them?—A. I do not think it has.

Q. You think that they behave themselves well because they are contented?—A. Yes, sir; because they are living in a country that is suited to them. They say that they tried to live in the Indian Territory as long as they could, but that they were sick all the time, and that many of them perished from sickness. They buried fifty of their people, and made up their minds that they had all got to die if they remained there. So they broke away, saying that they might as well die by the bullets of United States soldiers on the road as to die there.

Q. Have they a reservation of their own where they are now?—A. No, sir; they have no reservation. But recently I made a recommendation for them to be attached to the Assinaboine Agency, on the Missouri River, and it has been granted.

Q. Is the country where they are located one that will probably be desired by the whites eventually?—A. Well, yes; the same as every other spot of ground that I know of belonging to the Indians in the United States.

Q. It is an agricultural country?—A. Yes, sir.

Q. Are the buffalo disappearing from that part of the country?—A. Yes, sir; but before the buffalo are gone, their cattle will increase in sufficient numbers to support them.

Q. Do they take good care of their cattle?—A. Yes, sir; they take the same interest in them and take as good care of them as of their ponies.

Q. Please explain about the cattle—how they came by them, how they keep them, whether in severalty or in a herd belonging to the band in common.—A. The cattle were bought with the money received by the sale of the surrendered ponies, as I have already mentioned. I sent an officer with a few men, a small party of Indians, to Western Montana, and there they bought about a hundred head. These cattle were divided and branded and given to the Indians by families. They were branded so that each would know his own stock. Since that time the herd has increased, and the Indians take as much interest in them as they do in their ponies, their clothing, or their lodges.

Q. Each family owns its own cattle and its own horses?—A. Yes, sir; and the ground is divided off into sections or lots and allotted to each family. I detailed a soldier—a farmer boy from Illinois—to superintend and take charge of that work.

By Mr. **Dawes**:

Q. What do you call a family?—A. A man and his wife and children.

Q. The word has the same meaning with them as with us?—A. Yes, sir.

Q. Each family has its own cattle and knows them by the brand?—Yes, sir.

Q. And after being branded the cattle are put together in one herd?—A. That used to be the way, but now they are beginning to separate them and each family keep and take care of its own.

Q. What is done with them in the winter?—A. They range all winter.

Q. Do they not have to feed them in winter?—A. There are no cattle fed in the winter that I know of in all that region of country. Those Indians are getting in the way now that they take as much interest in their gardens and farms as white men; when they have anything that they can sell, they buy citizens' clothing, buy wagons to ride in instead of riding on horseback, and buy harness and things of that kind. In other words, they are following the example of the white people.

By Mr. **Plumb**:

Q. Do they have any schools among them?—A. I am just starting one for them this spring; I have not been able to do so before.

Q. For the children?—A. Yes, sir.

By Mr. **Dawes**:

Q. Are you, being an Army officer, at liberty to express your own private opinion as to the different policies or measures that have been discussed here in Congress? I do not wish to ask you any questions that will place you in an embarrassing position.—A. In regard to this band under consideration at the present time, I consider the banishment of a body of people from one section of country to another, from a cold region to a warm, malarial district like the Indian Territory, to be unwise, unjust, and cruel. It is like going to Quebec and taking a village of men, women, and children from there and removing them to North Carolina. The change is as great. They are a strong, hardy, northern race, accustomed to a cold, severe climate. The mercury has been as low as fifty-five degrees below zero up there this winter.

Q. What becomes of the cattle in such weather as that?—A. Nature seems to make provision for that; the hair grows longer and thicker upon all animals in cold regions than in warm; the hair of the buffalo is longer and warmer there than it is further south; the buffalo robes gathered in the north are better than in the south. Another thing; the country up there is broken, so that cattle can get shelter under the bluffs. The cattle get fatter in that country than they do in the south.

Q. Under the existing circumstances, do you think it would be advisable to return those northern Indians that are now in the Indian Territory to their former homes?—A. I think it would. I believe it would do no harm to do what seems right. Besides, I do not believe in the policy of taking all the Indians, from all parts of the country, and putting them in one locality. It congregates a great mass of savages in the heart of a civilized country, where they must necessarily give trouble during the present generation. It will take a large army to keep all the Indians in the Indian Territory, even if it could be done. And the trouble would not come to an end with this generation. A mongrel race would grow up there, and keep that section of country, and the surrounding country, in a state of constant turmoil. Where there are only a few Indians in a given section of country, they could be easily controlled by the Territorial or State courts. The Indians in Massachusetts, New York, and North Carolina, so far as I remember, have never given trouble to the people of the commonwealth where they live.

Q. What is your view of the proposition, which has been suggested by some, of the allotment of lands to the Indians in severalty?—A. I have always been opposed to this system of gathering together a large tribe, and holding them at one agency, and giving food to them at one place. It causes them necessarily to congregate and remain within a short distance in order to get their food every day, and all the evils follow which naturally result where an idle and indolent body of people are together. I think it would be much better to give them reservations, to separate them by families, and set them to cultivating little pieces of ground for themselves. Instead of issuing rations to them at the agency, I would send their food to them, or give them the money. In that way they would not be so apt to gather in one large camp, and remain there in a state of idleness, as they do now. I think it would be far better for the government to give them what it has to give them in money or cattle—giving them to the Indians in families. The cattle should be branded, so that each family could know what belonged to them, and so that if the cattle were stolen the thief could be detected. Let the Indians select places on their reservation, and have it understood to be their homes—whether they live in a tent or a palace does not make so much difference; but locate them. If you give them cattle, they will soon learn the value of property, which is to some extent the basis of civilization.

Q. Do they understand what it is to have property of their own, in the sense that civilized people do?—A. Certainly; they have clothing, arms, horses, and other property of their own.

Q. I mean in contra distinction to owning property as a clan or tribe.—A. I do not know that they have any property among themselves in their wild state, in common.

Q. Take these Northern Cheyennes up there now, in their present condition; would a family take one hundred and sixty acres of land in severalty, and take care of it, and cultivate it?—A. Certainly; there is no trouble at all about that.

Q. Do you think, from your knowledge of the Indians, that they would be generally willing to adopt the plan of having lands in severalty—the wild Indians, I mean?—A. Yes, sir. Of course you have got to approach that matter gradually. From barbarism to civilization is a gradual process. The savage is usually first a hunter, then a herdsman, or shepherd; next he cultivates the ground. You cannot expect them at first to be satisfied with one hundred and sixty acres of land and nothing else, when they have been accustomed to roam over a whole Territory.

Q. What would be the result of locating them on lands in severalty, with white men surrounding them—mixed in among them?—A. That would not work so well at first, because it is very difficult to overcome the prejudice between the two races. It would be better for them to locate on their reservations, at first, and then, as they become civilized, they will be able to understand the force and benefits of the civil law—a difficult thing to make them understand.

Q. According to your idea, then, this thing must move slowly?—A. Yes, sir; gradually, but constantly.

Q. Constant in one direction?—A. Yes, sir; with a steady view of reaching the main object and end.

Q. What is your view of such schools as have been put in operation for their benefit at Hampton and Carlisle?—A. I think I was among the first to recommend that, several years ago. The difficulty and disadvantage of having a school at an agency is this: you have got to keep the tribe there at the agency where the school is, or else separate the children from their parents. If you are going to separate the children from the older Indians, it would be better to let them go where they can see the benefits of civilization. In passing through the country, as they must, for instance, in coming to Carlisle or Hampton, they will see the power of the white race, and learn the advantages of civilization. Then again, they are away from all the demoralizing influences of camp life. It is better to take the boys and girls, and teach them the English language, and habits of industry, and then let them go back, with the new ideas which they have obtained by association with the white people. The Indians, so far as I know, are willing to do that. I have had many offers from prominent men, in the Indian tribes, that have asked me to take their sons and send them east to have them educated. They see that the whites have power which they have not; that we have newspapers, and know how to manufacture everything needed which they do not. Of course, if you take the children of prominent men who are soon to become chiefs themselves, headmen of the nation, who are to have control of affairs among them, you will gradually educate the whole tribe.

Q. Are these schools meeting your expectations?—A. Yes, sir. But they are only in their infancy. My recommendation was, to take a number of military posts, that were no longer needed, because civilization has gone beyond them, and convert them into industrial schools.

Q. Like Carlisle Barracks?—A. Yes, sir; that is simply one that has been taken; there are several others that can be used.

Q. You think that that would be better than trying to do the same thing on the reservations?—A. Yes, sir.

Q. What do you think of having blacksmithing, shoemaking, carpentering, and other trades, taught them on the reservations—making the agency schools to some extent industrial schools?—A. As regards teaching a trade at an agency, I never yet knew an Indian to learn the blacksmith trade in that way.

Q. But assuming that the blacksmith is as good a workman as he ought to be—a good one.—A. He may put shoes on the feet of the pony of some warrior that has been out on a raid and got his horse sore-footed. As a general thing these mechanics about the Indian agency do not amount to much. But take five hundred or a thousand Indian boys, and put them at a large industrial school, where they will learn the English language, and be taught some useful trade at the same time, and when one of these boys goes back he will be of some use among the tribe.

Q. What is your idea as to whether the Indians, as a race, are increasing or decreasing in numbers?—A. The tribes that are peaceable, I think, are on the increase.

By the CHAIRMAN:

Q. Is there anything else that you see in Little Chief's testimony that you would like to explain?—A. I have mentioned the only point which I have seen that I think needs correcting.

By Mr. DAWES:

Q. What was the character of Little Chief?—A. He was a quiet, peaceable, well-behaved man, while with me.

Q. Was he the first in authority?—A. No, sir; he was a sub-chief.

Q. Who was the first in authority?—A. Roman Nose and Little Wolf.

By the CHAIRMAN:

Q. There is one point which we would like to have explained. Of the first band of Northern Cheyennes that went to the Indian Territory, about two-thirds have been contented ever since they went down there; the other third are discontented, and constitute the band that went through Kansas and Nebraska, under Dull Knife and Wild Hog, and make trouble. Of the band that went down when Little Chief did, about the same portion are contented, and one-third are discontented. Have you any information that will enable you to give any satisfactory explanation as to why this difference exists among the Indians, so that two-thirds of each band should be willing to remain, while one-third of each band are discontented?—A. Many years ago the Cheyenne tribe divided; a portion of them went south and have remained there ever since. I can account for the difference to which you refer in no other way than that perhaps the relatives of some of them, who were already down there, treated them hospitably and made it as comfortable as possible for them. That would naturally have a tendency to make them like it better down there.

Q. Did you know a chief among the Northern Cheyennes named Living Bear?—A. I do not know him.

Q. Living Bear and Standing Elk appeared before this committee at Fort Reno, when these questions were asked and these answers given:

> Question. Why did you not go off with the other Northern Cheyennes when they left this part of the country to return to their northern homes?—Answer. We were told at the council at Camp Robinson, by Generals Crook and Mackenzie, that the President had given orders for us to come down here and live in the southern country; we intended to be obedient to the orders of the President, and so we did not go back.
>
> Q. Did you want to go back?—A. We had no idea of going back any more; we did not want to go back after having come down here.
>
> Q. Do you want to go back now?—A. I have been satisfied here ever since coming down; when I first came down here the Southern Cheyennes met me, and took me by the hand, and told me they were glad I had come down; and I have felt at home ever since.

Now, those two men represent about two thirds of the first band of Northern Cheyennes, and they are contented there to day. The other third, who went north, you know all about. So in the band that went down about two-thirds of them are satisfied, while the other third, under Little Chief, are very discontented, and I doubt whether they will ever become contented. I have wondered whether there was any reason for this.—A. I think it can be accounted for in the way I have mentioned. As Living Bear says, his friends down there met him, took him by the hand, and did everything they could to make it agreeable for him. The traders are always anxious to draw as large a crowd of Indians around them as possible, because it is money to them. They sometimes buy up the headmen by presents, in every way possible, to induce them to hold their people near them. I see no objection to those that want to remain there remaining there; but I see no reason for holding those there that are dissatisfied and desirous of returning north.

By Mr. PLUMB:

Q. I want to ask you about the Indians' rations; what ration do you give the Indians in your employ?—A. The same as the soldiers' ration.

Q. Are they satisfied with that?—A. Yes, sir; it was more than they had ever received anywhere else.

Q. Do those Indians at Fort Keogh receive any support, except those in government employ?—A. No, sir.

Q. How are the rest of them supported?—A. They earn their own living by herding cattle and cultivating the soil.

Q. Do they take good care of the cattle?—A. Yes, sir.

Q. What did the children do, herd cattle or cultivate the soil?—A. They did both. They herded the cattle and helped cultivate the gardens.

Q. Are they good herders?—A. Yes, sir; the best in the world.

Q. Do they seem to be adapted to that business naturally?—A. Yes, sir; they have been at it, or at business very similar to it, for eighty or a hundred years; ever since they first had horses.

Q. And they are satisfied with that kind of work?—A. Yes, sir.

Q. What length of time would you think it desirable to educate those children in order to accomplish the purpose the government has in view, or the purpose you have in view?—A. As the government has taken the Indians under control and assumed to manage them for many years, I think it might as well pursue the same policy until the Indians as a body learn the English language, and then they can take care of themselves.

By Mr. DAWES:

Do you consider that the first step?—A. I consider it the most important step towards becoming civilized; for then they can read the laws and the newspaper, and in that way come in contact with white civilization more than they otherwise could. They could get information which it is impossible for them to get now, except to a very small extent by means of interpreters.

By Mr. PLUMB:

Q. If these Indian children are taken away from their tribes and sent to remote sections of the country, how long do you think it desirable to keep them there in order to accomplish the purpose you have in view with the Indians?—A. You can judge of that as well as I.

Q. We want your opinion.—A. Some are brighter than others. It takes a child but a very short time to learn a language. You would need to keep them there until they have learned the language, and then they should be kept there until they have learned to read understandingly.

Q. How long do you think that would take?—A. It might average somewhere between five and eight years. Some of them would learn in less time than that.

Q. What would you do with the Indians after they have learned this?—A. Let them go back to their homes, their tribes, and let others take their places.

Q. What would they do for a living when they got back?—A. They would be the instructors of others and earn their living the same as other intelligent people.

Q. But what would they do for a livelihood?—A. Cultivate the ground and take care of stock; some would become carpenters, blacksmiths, mechanics.

Q. Can they not learn how to cultivate the ground and take care of stock as well by staying where they are?—A. No, sir; they might learn to take care of stock, but they would not learn the value of different kinds of stock, or what amount they should receive when they came to sell their stock.

Q. How do Indians ever learn to trade? They do learn the value of goods, horses, arms, &c., do they not?—A. They do.

Q. How do they learn that, by experience?—A. Yes, sir.

Q. Are they not much more likely to learn that by experience than they would be to learn it by any education they could obtain at school, without experience?—A. They might learn to barter among themselves, of course, but they would not be able to learn the value of horses and stock at distant markets, and whether the prospects were in favor of a fall or a rise in price, as well as if they were educated and able to read the newspapers and find out the value of horses and cattle in Chicago, and Saint Louis, and other distant markets.

Q. That limits itself to the learning of the language; I am speaking of the other things that they are expected to learn during these five or eight years that they are at school; what would they do toward aiding them to get a living better than they otherwise would do? What education do they need beyond enough to enable them to read the newspapers and discuss the market reports?—A. They would be able to earn a living as much better than a wild Indian as an intelligent, educated white farmer can get along better than an ignorant farmer. The same benefits which would result to a white farmer from being educated would result in the case of the Indian.

Q. Do you think that education would put an Indian on a par with an educated white farmer?—A. Yes, sir; in many respects.

Q. You named several successive steps between barbarism and civilization, but it seems that you do not think they need to go through those successive steps in order to arrive at civilization?—A. I think they might get over those intermediate steps much more quickly by being educated than they would otherwise.

Q. Do you not think that the Indians might be sufficiently educated to render them self supporting by a comparatively rapid and inexpensive process, rather than by sending them to some remote point and giving them an expensive education for from five to eight years?—A. No, sir, for this reason: If an Indian has anything to sell to a white man—a horse, a buffalo robe, or a load of vegetables—if he does not understand our language, he must go and get an interpreter to go with him to the store and communicate through the interpreter; or, if a white man goes to an Indian tribe to buy a horse, or anything that the Indian raises out of the ground, he must hunt up an interpreter and communicate with the Indian through this third person. If the Indian were able to speak our language, he could do his own interpreting and communicate with the white man directly, which would give him great advantage.

Q. It would be just the same on the part of a German or Portuguese, who might want to do the same thing?—A. Yes, sir; they would be able to get along much better.

Q. Will not the next generation of Indians, without the expense of sending them to school at a distance for several years, simply by intercourse with the whites, learn our language and speak it sufficiently to make known their wants, and to be the recipients of statements, information, &c.?—A. In a few cases they might.

Q. Will not that be the natural result of their intercourse with white men, independent of definite methodical education—school education?—A. It would take a good many years.

Q. Longer than to educate them at these schools? You say that would take from five to eight years?—A. Yes, sir; longer than if a certain portion of them, at least, had the advantage of schools.

Q. It would not be attended by any expense?—A. Probably not by any large expense.

Q. What more would you expect to accomplish by the education of Indians than to put them on a self-supporting footing? Is not that the object of education generally?—A. They can support themselves in that country without any education, and outside of government help, as they have done for thousands of years. If education is good for any people, it is good for Indians. The same reasons which render education beneficial for any other people, are applicable in the case of the Indians.

Q. Will they not naturally and gradually, as the whites infringe upon them and settle up that country, will not the Indians, by following the bent of their own inclinations, in connection with their surroundings, naturally and gradually acquire an education and become self-supporting?—A. If they are given facilities for becoming educated they will probably become educated. If they have to go through the slow process of education which results from coming in contact with the roughest element on the frontiers, they will see nothing but the very lowest stage of civilization, and they will regard that as the natural condition of the white man. But allow the Indian to go inside of white settlements in the older settled regions of the country, and see there the advantages of education and civilization, and it will have more attractions for them. The contact with people in civilized communities would be much more to their advantage than contact with the rough element that we find on our extreme frontier.

Q. That is a matter of morals.—A. Morals, education, and everything else.

Q. I am sorry to hear your description of the population on the frontier; is not that likely to change?—A. I have nothing to say against the frontiersman, as such. I have as high a regard, at least for many of them, as any one else. But out on the *extreme* frontier, where the Indians are liable to make their first acquaintance with white men, you do not find the class of men that inhabit the older settled portions of the country. You find there a class of men living in huts and "dug outs," living in a very rough manner, with no domestic life whatever. This serves to give the Indians a very low idea of white civilization. And this is not the worst phase of the matter. A good many of these men are men who have gone there to escape punishment for crimes committed in the East.

Q. Is that the general character of the white men about Fort Keogh—the farmers about there?—A. The farmers have hardly got there yet. The first people to come to the extreme frontier are generally horse-thieves and gamblers and other malefactors. I know that was the case in Kansas, some parts of it, when I first went there. Then they disappear, and hunters and trappers take their places.

Q. Is it usually the case, on the frontier, that hunters and trappers follow the thieves and gamblers?—A. Yes, sir. Then gradually the pioneer settlers push out—the "ranchmen" and farmers, and bring with them their families, and civilization. But this class of people do not usually come until the Indians have disappeared. Those white people that the Indians first come in contact with are those of which I have previously spoken; and that kind of civilization does not have a tendency to win their admiration and awaken within them a desire to imitate it.

Q. Do you not think that that civilization is an improvement upon that which the Indians already possess?—A. They do not think it is.

Q. I asked your opinion?—A. I do not think that the influence of it has any tendency to draw them from the life they have been leading to a better one.

Q. Your idea would be to either transplant white settlers—of the more respectable class—out there, or to transplant the Indians to the white settlements?—A. That plan has been advocated.

Q. I am asking your opinion?—A. I believe it would be better to allow the settlers to go among them, and thus give them an opportunity to witness the advantages of civilization, than to shut them off by themselves, where they see only the "rough edges" of civilization.

Q. If you deem it desirable to bring the young people down to Carlisle Barracks, why not the entire tribe?—A. That has been advocated by men who have made the subject a study—to bring the Indians inside of the white settlements.

Q. That plan would be popular on the frontiers, would it not?—A. I think it would; the people there would be very glad to get rid of the constant annoyance of large bodies of Indians immediately in their vicinity.

Q. The Indians do not like the contaminating influence of the whites, and the whites do not like the contaminating influence of the Indians?—A. You understand that I do not advocate anything of that kind, such as moving the whole body of the Indians. But as it is now, we are expending a great deal of money for educational purposes, sending out teachers and building school houses on the frontier. My policy would be to consolidate all the school work, at places where it could be done, and where the children could see some of the advantages of civilization.

Q. Do you not think that, if the children were to be educated where they could associate with their own people, so that the influence of the school-room could gradually be brought to bear upon the whole tribe, it would be better than to take the children away from the tribe?—A. I believe that the influence of camp life would do more for the injury of the children than the children could do for the benefit of the Indians in camp.

Q. Do you think that bringing the children to Carlisle Barracks, and keeping them there for five or eight years, where they would know nothing of Indian life, would be the best way to fit them to go back upon the frontiers, and enter upon agricultural work in a pastoral way?—A. I believe that they will be better able to cultivate farms, and to teach others to do so, after they have learned to live the life of civilized men than otherwise. I do not think it is necessary to bring them as far east as Carlisle Barracks.

Q. You would want to bring them far enough east to be out of the reach of horse-thieves, gamblers, &c., would you not?—A. Certainly.

Q. Where do you think that would be?—A. O, there are a sufficient number of available places that could be found; say at Fort Harker or Fort Riley, Kans., or Fort Snelling, Minn.

Q. In the Yellowstone Valley, how many men are there with families who have gone there to build houses, and who intend to school their children there? Are not the advantages which the white man is willing to accept for his children, considering that he has all the world before him, good enough for the Indians out there?—A. There are very few families in the Yellowstone country.

Q. They are constantly coming in, are they not?—A. A few; but the percentage is not large. They are just commencing to come in.

Q. The country through there has been known to white men for a many years?—A. Yes, sir; from twenty-five to thirty years; but during that time very few white families have gone into that section.

Q. Is it not the fact that that country has been occupied by Indians, and has, therefore, been unsafe for white men, had a great deal to do with that?—A. That has been one reason, of course. There have been white men scattered through there, but they have been mainly hunters and trappers.

Q. Has there been, during the last twenty-five years, any time when a white man would consider it safe and prudent to go there and live there with with his family for twelve months at a time?—A. No, sir.

Q. Now that those barriers against the influx of settlers have been removed, is it not likely that the settlers will go there with comparative rapidity, and organize communities, and the appliances of civilization will be brought so close, that opportunities for the education of white children and Indian children alike will be afforded?—A. It will undoubtedly be some time occupied by civilized people, the same as every other section.

Q. And that very soon—in a very few years?—A. In a short time, the same as Kansas has been.

Q. Do you think that the Indians would suffer by contact and association with the settlers that will naturally flow into that country within the next five years?—A. I do not think that they would suffer from contact with any settled civilized people.

Q. Would not the schools and educational advantages, and influences. which are sufficient and satisfactory to the white people and their families who are settling there, be equally desirable for the Indians?—A Certainly.

Q. You do not think that an Indian is entitled to receive anything better at the hands of the government, or any more of it, in the way of education, than a white man?—A. No, sir.

Q. If a white man is satisfied with the education that his children can get on the banks of the Yellowstone, ought not an Indian to be satisfied with the same?—A. I will say this in general terms; I would give an Indian the same advantages, the education, the same protection, anywhere, that I would give to a white man. But if you make a treaty with the Indians, and require them to live at a certain particular locality, and are constantly moving them about, and sending them from one place to another—if they are considered the wards of the government, and the government takes upon itself the education of them—I would say educate them in the way that will do them the most good.

Q. Do you not think that instead of putting them in tribes, in large numbers, it would be better to disperse them in comparatively small bands, and locate them at intervals, with at least some small white settlements between them? Would they not then have more prospect of becoming self-supporting than when they are brought in contact with the trader only?—A. That would have to be done gradually; it would be dangerous to attempt to separate them, to break up their tribal relations all at once.

Q. As I understand it, the Indian tribes, ordinarily, never have lived together in large numbers, of their own volition? They live considerably scattered, always?—A. Except those living on the buffalo.

Q. And they, only for the time being. Take, for instance, the Indians at the agencies on the Missouri River; have they ever lived together in large numbers, of their own volition?—A. No, sir.

Q. I am speaking of letting the Indians live by themselves, in localities which they choose—would not that be better than bringing them together in large numbers?—A. I think so. But you could not take the Spotted Tail tribe, or a band on the Missouri River, and scatter them among the white people of Iowa without trouble; it would not benefit the people of Iowa, nor the Indians themselves.

Q. I am not speaking of taking them from the locality where they now are, and scattering them elsewhere, but in the territory where they belong, scattering them so as to give them some room for the sort of operations to which they naturally attach themselves.—A. I think that, instead of congregating them in one large body, and holding them together, it would be better if they were dispersed over their reservation, and annuities issued to them at their homes—and not, as now, at one place.

Q. Do these Indians of which you speak at Fort Keogh trade with the Indian trader there?—A. They trade where they like.

Q. Wherever they can do best?—A. Yes, sir.

Q. Through an interpreter?—A. Yes, sir.

Q. Are not their faculties sharpened by experience, so that they make good trades?—A. I do not know about that.

Q. What is your impression?—A. They understand the value of money better, at least.

Q. And also the value of hides, and the various other articles they sell or purchase?—A. Yes, sir.

Q. Do they not really trade with considerable shrewdness and economy; I mean with reference to buying things at low prices?—A. I know very little about that; but, so far as my observation goes, I think they do.

Q. They are not seriously, not very materially injured, in the way of being cheated?—A. Where they are allowed to trade with any one they please, to select their own place of trading, for selling what they have to sell, whether they make better bargains or not, they are certainly better satisfied, and I have no doubt that they make better bargains than they can do where one man has a monopoly, and they are obliged to sell at his price.

Q. Are they not quick in detecting the poor quality of goods? Does not their interest sharpen their wits as much as in the case of anybody else?—A. I presume that in that respect they are very much like other persons.

Q. They can be trusted with money, to expend it with a reasonable degree of advantage to themselves?—A. Yes, sir.

Q. Do you not think that in a short time they would expend the money now given them by the government for clothing to as good advantage as the government expends it for them?—A. The first scouts that I employed were wild Indians, they did not understand the value of money. One of them, when he was paid, went to his tribe and gave it all away—passed it around—and then came back and wanted more. Since that time, however, they have learned the value of money, and I think they now make as good use of it as the soldiers do. A short time ago a payment was made when the command was away on the Missouri River, and the Indians sent home to their families, which they had left back at Fort Keogh, a larger percentage of their pay than was sent home by the white soldiers. They are saving up money now, out of what they earn as scouts, to buy cattle with. So I believe that there would be little difficulty in Indians learning the value of property, which is the foundation of civilization.

Q. Then you think it would be better if they were allowed the privilege of trading with any one they choose?—A. Yes, sir; I think that with the requisite experience they would be likely to make as good use of their money as the same number of white men. The plan of authorizing only one man to trade with them in my judgment is wrong.

Q. Do you think that if instead of giving the Indians blankets, food, &c., these things were capitalized, at a fair price, and the money given to the Indians, they would be likely, with a little experience, to buy what they need at good advantage?—A. Yes, sir; that plan has worked very well with the English Government.

Q. And you think it would work the same with the United States Indians?—A. I can see no reason why it should not.

W. H. H. LLEWELLYN.

WASHINGTON, D. C., *March* 24, 1880.

W. H. H. LLEWELLYN sworn and examined:

By the CHAIRMAN:

Question. What is your occupation?—Answer. I am employed by the Attorney-General as a special detective of his department.

Q. State what knowledge you have, if any, in regard to the outbreak of the Northern Cheyennes who left the Indian Territory, passed through Kansas, and were captured and confined in Fort Robinson?—A. The outbreak occurred, I think, in January of 1879. I was not at Fort Robinson at the time of the outbreak. I was there eight or nine days afterward. I saw the quarters in which they were confined—company quarters.

Q. State anything that will tend to throw any light on the matter.—A. The building was a company building, intended for a company of soldiers. There were one hundred and thirty or one hundred and forty Indians confined in there—more than twice as many as are usually confined in a building of the dimensions.

Q. It was a building such as is occupied by troops?—A. Yes, sir; it had formerly been used for company headquarters.

Q. Do you know anything about the actual outbreak?—A. Only what I was told. I examined the building and saw where they had dug up the floor.

Q. If there is anything in regard to the matter which you think it important to tell, go on and tell it.—A. In my opinion I think they might have used greater caution in regard to keeping arms away from the Indians and having a heavier guard. Of course after the breaking out the soldiers could not very well have pursued any different course than they did. From my experience among the Indians it seems to me that they might have used more caution in searching them for arms. It seems to me it would have been better to have divided them up into two sections or parts, and put them in different buildings. Of course, the feeling, generally speaking, of soldiers toward the Indians is very hostile.

Q. Were there other buildings at the disposal of the troops there?—A. If I remember rightly, there were five companies of soldiers posted there at that time. I think they could have got probably three other buildings. There were some buildings near there, on the agency, that might have been used. They were the quarters of the old Red Cloud Agency, that were used before the other agency was established there. It seems to me, from my knowledge of the Indians and their disposition, that if I had been in charge there, in the night time, I would have had a detail of fifteen or twenty men. With two or three guards, one only at each end of the building, the Indians would have a good chance to get out of the building while the guards were at the end, passing up and down on their beat.

Q. You know nothing of what actually occurred?—A. No, sir; I heard a great many statements.

Q. Before that, had you been at Fort Robinson recently?—A. No, sir; not for two months—perhaps three. I saw part of the Indians afterward, when they were brought down to Sidney, Nebraska. The country right there at the post is quite level, a sort of small plateau; but on all sides there are ravines and hills and cañons. Of course the Indians got away immediately and sought shelter in these places. Indians are very peculiar in their notions. For instance, the Spotted Tail Indians and the Red Cloud Indians have an idea that the Missouri River water is very unwholesome and injurious. The Yankton Sioux, on the contrary, think there is nothing like the Missouri River water. If an Indian gets a notion in his head, it is sometimes very difficult to change it. I had an Indian from the Red Cloud agency subpœnaed to go before a Deadwood court last January. He refused to go. He said that the white men had a big hole up there and threw the Indians into it; but other Indians did go up, and on coming back gave a glowing account of it; and then this Indian wanted another term of court held for his own especial benefit, so that he could go up.

Q. In other words, the Indians are ignorant and prejudiced?—A. Yes, sir; they have their superstitions, and considerable tact and care are required in dealing with them.

REMARKS OF HON. CARL SCHURZ.

WASHINGTON, D. C., *May* 15, 1880.

Hon. CARL SCHURZ, Secretary of the Interior, appeared before the committee and gave his views in regard to the matters under consideration.

The CHAIRMAN. Mr. Secretary, please make any statement that you may desire relative to the removal of the Northern Cheyennes now at the Cheyenne and Arapahoe Agency, or any part of them, or of the Poncas now in the Indian Territory, or any part of them, to their original location.

[Secretary Schurz's remarks, so far as they had a bearing upon the removal and condition of the Ponca tribe of Indians, will be found in the volume of testimony taken with reference to that subject. In regard to the Northern Cheyennes, the following are his statements and conclusions]:

The SECRETARY. As to the Northern Cheyennes, I think that they suffered, on the whole, much less than the Poncas. There was a great deal of sickness among them at the beginning; but at present they are much better. The present discontent among the Northern Cheyennes in the Indian Territory is all, or nearly all, traceable to one source—an old chief, called Little Chief, who is using all his influence to keep up the old traditions and to keep the other Indians from work. When he was here he indulged on every occasion in the old style of Indian talk; that the Indian was not made to work, but to hunt, and eat buffalo meat; that only women should work; that education was not good for Indians, and so on. In the course of time the Northern Cheyennes will get over their difficulties, if sufficient encouragement is held out to them.

The CHAIRMAN. I was going to ask a question about Little Chief. The policy of the department has been, for some time, to break up as much as possible the influence of the chiefs, by distributing rations to families, and not to chiefs of bands, as was formerly the custom. Has that, in your judgment, had anything to do with Little Chief's dissatisfaction?

The SECRETARY. That has also had something to do with it. The old chiefs are all opposed to that system of distributing rations. As long as they received rations and annuities to be divided by themselves among their followers, they could distribute rewards and punishments at pleasure to the members of their respective bands.

The CHAIRMAN. And thus strengthen their position?

The SECRETARY. Yes; and the new method of distributing rations to the heads of families is naturally calculated to weaken the position of the chiefs and displeases them.

The CHAIRMAN. Since you have adopted the plan of distributing rations among the families, do you find that the chiefs have lost the hold upon their followers that they formerly had?

The SECRETARY. Yes; they have lost prestige. It was, first, a question of justice; we wanted to treat all alike. Secondly, it was a matter of policy, weakening the power which the chief formerly had. This power is here and there used in favor of sound policy, as by Spotted Tail; but in very many cases it is not.

Of all the Indians I have ever seen, Little Chief was the most backward in his ideas, adhering most tenaciously to old traditions. * * *

Mr. PLUMB. Has the department taken those measures which would tend to the health of the Indians, in view of their removal—supplied them with physicians and medicines, which would have the effect to protect them against the diseases naturally resulting from their removal from a northern to a southern climate?

The SECRETARY. That is a point upon which I can give you no further information than you have already received from the Indian Office.

Mr. PLUMB. I speak of that because the great mortality among the Poncas has been mentioned.

The SECRETARY. I think that the mortality among the Poncas was in a great measure owing to other causes than insufficiency of supplies. Whether medicines have been furnished as they should be can be found out from the Indian Office. These are among the matters which come to my knowledge only indirectly through that office.

Mr. PLUMB. Were you aware, during the summer of 1878, of there having been urgent and repeated communications from the agent at the Cheyenne and Arapahoe Agency as to the great lack of medicines?

The SECRETARY. I was not aware of it at that time, because those representations were made by the agent directly to the Indian Office, and not to the Secretary. The matter came to my notice subsequently.

Mr. PLUMB. Were you not aware of it at the time?

The SECRETARY. I cannot remember that my attention was called to it at that time.

Mr. PLUMB. Do you think, with regard to the Northern Cheyennes also, that the government has supplied them with medical attendance and medicines sufficient to meet the condition in which they found themselves on being transferred to the Indian Territory?

The SECRETARY. I testified before a subcommittee of the Indian Committee of the Senate upon this subject, and you will find all that I have to say with regard to that matter in this document, which covers the entire case, so far as it has come within my knowledge.

[The testimony referred to consists almost exclusively of documents bearing upon the case, the most of which have already been introduced in evidence, and all will be found in the Appendix.]

I was afterward informed that the contractor for medicines had failed to perform his contract within the time specified by law, and that considerable delay in furnishing medicine arose on that account; but such details do not in the nature of things come to the knowledge of the Secretary unless his attention is specially called to it. It is the business of the Indian Office.

Mr. **Plumb**. Was it your understanding that the clothing and implements and annuities generally—the things required by the treaty to be paid to the Northern Cheyennes—had been delivered?

The **Secretary**. You will find all the information I have upon that subject—and I have none except that received from the Indian Office—in this document to which I have already referred. As I stated, information of all these details can be obtained by the Secretary in no other way than by making official inquiries of the Indian Office and getting their reports. The Secretary can send inspectors out to investigate matters when he has any at hand. But other than ordinary inquiries are usually made only upon other than ordinary information obtained.

Mr. **Plumb**. I wish to ask you whether it is your belief that the government has, during the last three years, fully complied with all the treaty obligations which it was under to the Northern Cheyennes located in the Indian Territory? I do not ask now for special information in regard to the matter—only your general conclusions.

The **Secretary**. I have every reason to believe that the appropriations we have received from Congress have been justly and well expended to that end. But I do not think that the appropriations have been sufficient to comply strictly with the provisions of the treaties. I know, for instance, very well that they were not this last year. When I was in the Indian Territory last fall I was informed by the agents of the Cheyennes and Arapahoes and of the Kiowas and Comanches that they were obliged to cut down the rations of their Indians to about one-half, because Congress had appropriated a sum sufficient only to permit half rations, depending for the rest of their support upon what might be made from their crops and by buffalo hunts; but the crops failed in consequence of the drought, and there was nothing to hunt; so the Indians were in a very bad condition. Thereupon I directed, by telegraph, to instruct agents to issue rations sufficient to sustain them, and fall back for relief upon Congress at the next session.

The **Chairman**. You mean a deficiency bill?

The **Secretary**. Yes, sir; depending upon Congress to supply the deficiency. So that it is certain appropriations fell very far short of being sufficient. As a general rule as to appropriations we are driven to use the utmost economy, the most careful management, and in a great many cases we are not able even then to comply with the treaty provisions; I am very much afraid we shall not be able to do so next year.

The **Chairman**. Your general statement, then, is that the appropriations for food for the Northern Cheyennes and Arapahoes have been insufficient to carry them through the entire year?

The **Secretary**. For full rations, yes, sir; in 1878 the appropriations were not as short as they were last year.

There is one thing more which should be taken into consideration: the number of Cheyennes who broke out were only a small part of the aggregate number of Cheyennes; and those who broke out were as well supplied as those who staid. If I may state an opinion formed at the time, from the reports I received about the circumstances attending that event, it would be that there was a lack of supplies to a certain extent, but that a lack of supplies to such an extent as to force them by hunger to an outbreak cannot have existed.

Mr. PLUMB. I want to get at the facts in regard to this: Agent Miles, in his testimony, on page 77 and 78 of the evidence already printed, states that he has never paid to the Indians, and that the Indians have not had the articles of clothing provided in the treaty; also that the sum of ten dollars to each Indian roaming and twenty dollars to each Indian engaged in agriculture has not been paid them; and yet the Indian bill for that year did provide for a sum of money to be paid to the Indians roaming and to the Indians engaged in agriculture, ten and twenty dollars respectively *per capita*. Have you any knowledge in regard to the diversion of that fund, or as to what has become of the money thus appropriated?

The SECRETARY. No, sir; it is a matter of detail to which my attention has never before been directed.

Mr. PLUMB. It appeared from Mr. Miles's testimony that not food enough had been provided for these Indians; that not money enough had been provided for the purchase of food; nor clothing enough to give them the articles named in the treaty; and that, besides these deficiencies, the money had not been provided for the payment of this sum of ten or twenty dollars to each Indian roaming or engaged in agriculture. I supposed that Congress had not made an appropriation; but when I called the attention of Mr. Beck to the matter, he showed me that the appropriation for this last purpose had been made for that year; and what I am trying to find out is where that money actually went?

The SECRETARY. That I am not prepared to answer. That matter has never come to my attention. These are things of which the Indian Bureau had charge, and that never came to my notice unless my attention was called to them by the bureau or complaint from other quarters. Besides, two years have elapsed since then, and I could scarcely be expected, after this length of time, to be familiar with all the details.

Mr. PLUMB. Have you, in your official capacity, received any communication from any one relative to the depredations committed by the fleeing Indians—by this runaway band of Northern Cheyennes—on their way through Kansas and Nebraska?

The SECRETARY. I think we had a communication from the governor of Kansas on that subject.

Mr. PLUMB. The treaty of 1868 between the United States Government and the Northern Cheyennes, which you will find on page 137 of this book of treaties, says:

> If bad men among the Indians shall commit a wrong or depredation upon the person or property of any one, white, black, or Indian, subject to the authority of the United States and at peace therewith, the Indians herein named solemnly agree that they will, on proof made to their agent, and notice by him, deliver up the wrong doer to the United States, to be tried and punished according to its laws; and in case they willfully refuse so to do, the person injured shall be reimbursed for his loss from the annuities or other moneys due or to become due to them under this or other treaties made with the United States. And the President, on advising with the Commissioner of Indian Affairs, shall prescribe such rules and regulations for ascertaining damages under the provisions of this article as in his judgment may be proper. But no such damages shall be adjusted and paid until thoroughly examined and passed upon by the Commissioner of Indian Affairs, and no one sustaining loss while violating, or because of his violating, the provisions of this treaty or the laws of the United States shall be reimbursed therefor.

Do you know whether any action has been taken by the President, or by the Indians, or by the Interior Department, for the purpose of ascertaining what damages were committed, and of determining the amount?

The SECRETARY. I think I received a letter from the governor of Kansas on that subject, which I referred to the Indian Office. I think you remember this, Mr. Brooks?

Mr. BROOKS. If I remember rightly, the claims that have been put in—the presentation of the governor—could not, under the law, be recognized; but wherever individuals have filed claims we have taken steps to dispose of them under the act of 1872, which provides the specific manner in which all depredation claims shall be audited and paid. The provisions of that act, by which we ascertain damages under all treaties with the Indians, are substantially these: whenever claims come in for depredations committed by Indians, such claims are to be sent out to the agents of the Indians who are alleged to have committed such depredations; the agent shall lay the matter before the Indians in council, and ask whether they admit or deny having committed such depredations; in short, shall make an investigation, and make a report, which shall be sent to the Secretary of the Interior, who shall report them to Congress, which shall make an appropriation—whether out of the funds of the Indians committing the depredation, or out of the Treasury of the United States.

Mr. PLUMB. Has any action been taken in regard to this Cheyenne raid? Have any claims for damages committed on that raid been transmitted to the agent?

Mr. BROOKS. My recollection is that there have been. I know that the question of the presentation of claims by the governor of Kansas came up; and it was held by the division and by the office that the governor could not present a claim on behalf of individuals, but that individuals must present their claims themselves.

Mr. PLUMB. Was the governor advised to that effect?

Mr. BROOKS. I cannot say as to that. It was some time ago.

Mr. PLUMB. I wish you would find out whether any steps have been taken, and, if so, what, towards bringing the claims within the provisions of the treaty.

Mr. BROOKS. I will do so.

Mr. PLUMB. Do you understand that the Cheyennes and Arapahoes have the same kind of title, and only the same kind of title, to their lands that the Poncas have?

Mr. BROOKS. They do not live on that tract at all.

Mr. BLUMB. Have they any title to their lands at all, as you understand it?

Mr. BROOKS. No, sir; not the least title whatever. They are on land that was purchased from the Creeks and Seminoles, in part, and in part on what is known as the Choctaw and Chickasaw leased lands.

WASHINGTON, D. C., *May* 15, 1880.

E. J. BROOKS recalled.

By the CHAIRMAN:

Question. Mr. Brooks, please give, in detail, the number of the Poncas at the time of their removal from their Dakota Reservation to the Indian Territory, and year by year from that time to the present, so far as it is in your power to do so.—Answer. I would like to state, in that connection, that in 1875, when the department recomended that the Poncas should be removed to the Omaha Reservation, on which recommendation Congress made the appropriation for their removal to the Indian Territory, there were, according to a census taken by the office, or under the direction of the office, 734 Poncas. I have looked over the reports, and it appears, I think, in the agent's reports of January of that year—if not of that year, of some year about that time—that many of them were dying of consumption. They are a consumptive race. The report of 1876 fixes their number at 730. The report of 1877—that is the year in which they were removed—gives their number as 717.

Q. Before or after their removal?—A. Before. There is a foot-note to the page of statistics containing this information, "36 absent." I suppose these thirty-six are those which Miss Bright Eyes testified did not remove when the remainder were taken down. The report of 1878 gives the number at 620.

Q. In the Territory?—A. Yes, sir; in the Territory. The last report, that of 1879, gives the number at 530; that is, those at the present time at the agency. I apprehend that in the report for 1877 there is a little misconception. You will notice that it reports 717 at the agency and thirty-six absent, which would give a larger number in all than the reports for 1875 and 1876. I think the thirty-six ought to be included; that is, that there were 717 in all, of whom thirty-six were absent.

Q. In 1879 how many were present?—A. Five hundred and thirty.

Q. Of the original number of Poncas who went South, can any of them be accounted for as living besides those who are returned as being at the agency? What becomes of Standing Bear and his friends?—A. They are not included; those enumerated in the report are those who were actually present at the agency. There are 530 besides Standing Bear and his friends and the others who have run away from time to time.

By Mr. DAWES:

Q. When was the enumeration taken?—A. I suppose some time in August or September—in time to be embodied in the annual report, which is sent out in October or November.

Q. What is the difference between the number in 1875 and the number in 1879?—A. In 1875 there were 734, in 1879 there were 530, making a difference of 204.

Q. Is there any means of accounting for that difference, except by taking into account those who ran away with Standing Bear?—A. There were thirty-four Northern Cheyennes who did not remove, some sixty-four left the agency about the time that Standing Bear did, which would make ninety-eight, and others have strayed away, one or two at a time. The mortality, as reported by the agent since the removal, if I recollect rightly, has been ninety-four—the actual mortality among them.

Q. How many does Mr. Kemble say he took down?—A. I do not remember.

Q. Do you know how many Mr. Howard took down there?—A. No, sir, I do not. I suppose I could tell by looking over the reports.

Q. The report stating that ninety-four have died since the Poncas went down there comes, I suppose, from Mr. Howard, the agent down there?—A. No, sir; Howard is not the agent there now, and was not when that report was made.

Q. Who was the agent?—A. Mr. Whiteman was the agent that made that report. But the statement that ninety-four have died is not based entirely on the report of any one agent; it agrees with the statements of the different agents, as compiled from the records.

Q. How long had Mr. Whiteman been there?—A. I think about a year or a little over.

Q. Was he the agent who has since been removed?—A. Yes, sir; he was removed by Inspector Pollock.

Q. When did Mr. Howard leave there?—A. He was removed in the summer of 1877, if I recollect rightly.

Q. The summer of 1877? That was the same summer that they went down there?—A. Yes, sir.

By Mr. PLUMB:

Q. I see that Mr. Howard reports on page 101 of the report of the Commissioner of Indian Affairs for 1877 that nine Indians died on the way down to the Territory, and eight more died after arriving at the Territory and before the report was made. The date of the report is August 25, 1877.—A. That would make seventeen deaths. That would reduce the number given in the report of 1876—seven hundred and thirty to seven hundred and thirteen. The report of 1877 gives the number at seven hundred and seventeen—just four more.

By Mr. DAWES:

Q. There are four treaties on the books to which I wish to direct your attention; one in 1817, one in 1825, one about 1858, and one about 1866. The first is with the Poncarar tribe of Indians; the second with the Poncars; the third and fourth with the Poncas, as the name is spelled now. I wish you would find out, when you get back to the department, and let me know, whether they all referred to the same tribe. You will find the first on page 668 of the Revision of Indian Treaties; the second (in order of date) on page 666; the later ones on pages 659 and 664.—A. I will do so.

Q. And if there is anything in the department that will enable you to tell us where these Indian tribes were located when these treaties were made in 1817, 1825—if they were the same as the Poncas—I would like to have you tell us their location, from the earliest record you can find of them until now.

By Mr. PLUMB:

Q. I wish you would look over the vouchers for furnishing beef for the Cheyenne and Arapahoe Agency, and the tabulated returns of subsistence issued to the Indians, for the purpose of ascertaining the exact fact as to whether or not, in issuing beef to the Indians, the Indian was charged with the full weight of cows, or whether there was a deduction of twenty per cent. in making up his rations.—A. I can answer that now; he was charged with the full weight of the beef.

Q. They were accounted the same as other cattle?—A. Yes, sir; a cow the same as a steer. I will state that during the year 1878–'79, that is, during the fiscal year 1879, the contract rate was $2.69½—less twenty per cent. for cows. There were delivered 6,927,167 pounds of steers, amounting in value to $186,687.15. There were delivered 1,667,341 pounds of cows, amounting in value to $35,947.87. The total amount of this would have been $222.635.02. That is, this is the actual value, at contract price, of the beef delivered. We paid the contractor $208,280.95, the difference being on account of penalties under the contract, arising from furnishing cattle of less than the weight stipulated therein. This refers to the cattle furnished, not to the Cheyennes and Arapahoes alone, but to the Cheyennes and Arapahoes and Kiowas and Wichitas. The cattle for all these tribes were furnished by the same contractor. (See Appendix, "Calvin Hood contract.")

I will add this: that these Indians would have received a great deal less beef than they actually did receive had it not been for the twenty per cent. made on the cows.

Q. On account of the deficiency of the appropriation?—A. Yes, sir.

Q. If they had got steers, and got them within the appropriation, they would have received less than they actually did?—A. Yes, sir; what we saved under the twenty per cent. clause of the contract we expended right over again in the purchase of other cattle.

Q. And gained in giving to the Indians the same as a pound of steers?—A. Yes, sir. I will state further that the appropriation for 1878 was short of the requirements of the treaty; it was also short in 1879, and also will be short the coming year, according to the Indian appropriation bill which has just passed the House; it is quite inadequate to enable us to fulfill the provisions of the treaty.

GEORGE CROOK.

General George Crook, being furnished a copy of the preceding testimony, with an invitation to make any statement he desired in relation to the portion referring to himself, wrote the chairman of the committee as follows:

FORT OMAHA, NEB., *February* 22, 1880.

Senator KIRKWOOD,
Chairman of Committee:

DEAR SIR: I have the honor to acknowledge receipt of pamphlet containing testimony taken before your committee relative to the removal of the Northern Cheyennes to the Indian Territory; and also of your note asking me to remark upon such portions of it as referred to myself.

In reply I would respectfully state that in 1875, at the time of my coming to this department, the Northern Cheyennes were constantly running between the Red Cloud Agency and the Indian Territory, and were regarded as the same people with the Southern Cheyennes.

In 1877, after the hostile Indians surrendered at Camp Robinson, Neb., the Interior Department concluded to remove them to the Missouri River. To this all the Indians were bitterly opposed, and none so much as the Cheyennes.

Upon being consulted, the Interior Department consented to letting these Northern Cheyennes go to Indian Territory, if they so desired.

I had a council with them, and said that orders were out for all the Indians at Red Cloud Agency to move to the Missouri River, but that *they* would be permitted to elect whether to accompany the Sioux to that land or join the Southern Cheyennes in Indian Territory. So far from me making any statement to them about the Indian Territory, I was careful not to advise them in any particular, as I knew nothing about that country, and preferred to let them form conclusions among themselves.

They were not a unit in this matter, and had many councils among themselves before coming to tell me that they had decided to go.

I have the honor to be, sir, very respectfully, your obedient servant,

GEORGE CROOK.
Brigadier-General.

R. S. MACKENZIE.

The chairman of the committee having transmitted to Col. R. S. Mackenzie a copy of the portion of the testimony in this investigation, so far as it was taken in the Indian Territory, with a request for him to make any statement he saw fit in reference thereto, Colonel Mackenzie responded as follows:

HEADQUARTERS FOURTH U. S. CAVALRY,
Fort Garland, Colo., February 24, 1880.

SIR: In reply to your letter of the 12th instant, I have to say that the agreement for the removal of the Sioux, Cheyennes, and Arrapahoes, from the Red Cloud Agency, was made between these Indians and a commission of which, I think, Colonel Moneypenny, of Ohio, was president. The Northern Cheyennes, with some few exceptions, were absent, at war with the government, while the negotiations between the commission and the Indians were conducted. In the spring of 1877 the Cheyennes were informed by General Crook and myself, of the necessity for their removal from the agency at Camp Robinson, under the provisions of this treaty; and they were told that they could either join the Southern Cheyennes in the Indian Territory, or move with the Sioux to the Missouri River. They were informed of the inducements held out by the government, through the commission, for their removal to the Indian Territory, and these you will find given in the report of the commission, which was published, with that of the Secretary of the Interior, in 1876. There was no memorandum kept by myself or any one else, so far as I am aware, of the conversations with the Indians at that time. I know that no assurance, not fully warranted by the agreement made by the government was given. I know too, that I informed the Indians then, that the performance of the promises made by the government, whether they moved to the Missouri or to the Indian Territory, would in neither case rest with myself; that they would pass under the control of a different department of the government.

In conclusion, I wish to say, that shortly after the arrival of the Cheyennes in the Indian Territory, they complained to me, through some of their leading men, that they were not receiving their just dues. I inclose the reports of myself, and of Captain, then Lieutenant, Lawton, made at that time, to show that I spared no plainness of speech then, to procure justice for these people. My own wish was, that these Indians go to the Indian Territory, for the simple reason that I thought it would be the best chance for their ultimate prosperity, and probably that bias of mine had influence with them. I distinctly told them though, that they as a people, must, under the pressure of circumstances, change their mode of life, and that such a change, wherever they were, would be accompanied by much suffering.

There are many inaccuracies of statement in the evidence sent me, but it seems hardly necessary to attempt to specify them, as it would take great space, and most are unintentional errors.

Very respectfully, your obedient servant,

R. S. MACKENZIE,
Colonel 4th U. S. Cavalry, Commanding.

Hon. S. J. KIRKWOOD, U. S. Senate,
Washington, D. C.

[The reports spoken of in the above letter will be found in the appendix.]

WILLIAM J. POLLOCK.

WASHINGTON, D. C., *March* 12, 1880.

WILLIAM J. POLLOCK sworn and examined.

[Nearly all of Mr. Pollock's testimony related to the Ponca Indians, and will be found in the volume of evidence bearing upon that subject; the portion bearing upon the condition of the Northern Cheyennes is as follows:]

By Mr. DAWES:

Question. Please state your name and occupation.—Answer. My name is William J. Pollock; I am at present an Indian inspector—one of the three Indian inspectors.

Q. How long have you been an Indian inspector?—A. Since the 3d of April of last year.

Q. What was your occupation before you became Indian inspector?—A. I was superintendent of Indian affairs for the Northern Superintendency; I remained in that position until the Northern Superintendency was discontinued.

Q. Have you ever been at the Cheyenne and Arapahoe Agency near Fort Reno?—A. I have been both at that agency and at Fort Reno for a short time—a mere visit.

Q. When was that?—A. In the latter part of February, between two and three weeks ago. * * *

Q. I would like to have your opinion in regard to the removal of northern Indians to the Indian Territory. Do you consider it good policy or bad policy?—A. I think it is very bad policy.

Q. Why?—A. For the reason that northern Indians, or other persons, Indians or white persons, raised in the north require a great deal of time before they can become acclimated. Nor is it the country that we have been led to understand it was. It is not so delightful and healthful a region; it is not a garden of Eden, very far from it. I do not like any part of it.

Q. You say that, so far as you have observed, the effect upon northern Indians of moving them down into the Indian Territory has been very bad. State in what respect.—A. First, in regard to their health. For instance, there is Chief Joseph and the Nez Percés tribe that came there from Idaho; they have lost a great many of their tribe from sickness, and, as a consequence, are greatly dissatisfied. As he said, very pathetically, "When we stand on the hill we look with one eye toward Washington Territory and with the other toward the graveyard, and are very unhappy."

By Mr. MORGAN:

Q. I would like to ask whether you are familiar with that portion of the Indian Territory occupied by the Cheyennes and Arapahoes and what you think of that as an Indian country?—A. I am somewhat familiar with that country; there is a portion of that country further east, between the two Canadians, that is better than the other parts of it. It is not a good agricultural country; it is a very fair grazing country; but I consider it an unhealthy country. In fact, the agency physician at the Cheyenne and Arapahoe Agency told me that he had issued there in one camp about forty miles up from the agency, at one sitting, I think, eight ounces of quinine to sick Indians that came in with ague and asked for medicine. * * *

By the CHAIRMAN:

Q. Those Indians who are about to start their farms are left to past inexperience and Providence as to how they shall do it?—A. Largely—very largely; they do not have half the assistance in that particular that they should have, and it is not possible for the agent to furnish it. At the Cheyenne and Arapahoe Agency the Indians are scattered up and down the North Canadian River for a distance of sixty miles. There is only one farmer there, and, I think, an assistant. The farmer at times has been occupied almost exclusively in arranging the freight business, attending to the freight train—a business recently imposed upon the agent; and yet, nothing more is allowed to-day for agency employés than there was before the freighting system was inaugurated. So that at that agency they have practically no instruction in farming, and it is so at many others.

Q. That is all they can do with the means they have?—A. Yes, sir; that is the best that they can do with the means they have. I think that at each of the larger agencies there should be at least three practical horny-handed farmers who are not afraid to go out and take hold with their hands and show these people how to farm; but without the means, without the money to pay them, of course it cannot be done.

Q. I want to get some information upon another point. I have found at the Cheyenne and Arapahoe Agency and I have heard that at other agencies there is a very common complaint by the Indians that they are always hungry; that they do not get enough to eat. Now, am I correct in supposing that condition of things to arise in this way: These Indians have been accustomed to live by hunting, and, of consequence, to live largely upon meat, in fact almost wholly upon meat; the rations issued to them by the government is a mixed ration consisting of meat, flour, cornmeal, beans, and other things; their previous habits lead them, when their weekly supply of meat is issued to them, to commence and eat it up, so that before the week runs around the meat is gone and they are compelled to rely upon the flour, cornmeal, beans, and so on, to which they have not been accustomed, and in consequence of that much of this complaint arises; in other words, is the ration provided for the Indians by law, if used as white men use it, sufficient for their comfortable support? Give us your ideas upon this subject.—A. I know that the complaint of short rations among the Indians is common—is general.

Q. Now, why is it? Is the ration really insufficient in itself, or does the complaint arise from the former habits of living of the Indians?—A. First, the ration *is* insufficient. That may seem strange when it is understood that they are allowed three pounds of beef gross, or one and a half pounds of beef net. But when it is understood that the Indian that draws his twenty-one pounds of beef for a week goes home and cooks it all at one time, and that then he and his friends get together and eat it before they sleep—perhaps sit up all night to eat it, and that almost always the beef that they receive is eaten by them within the first three days—it hardly ever lasts longer than that, except in some rare instances—when these facts come to be understood, it will not seem so strange that for a part of the time they have to go hungry.

Q. Would that same amount of beef be sufficient for a white man to live on during the week?—A. I think that amount of beef would be sufficient for a white man, provided that he had all the other acessories of a white man's living. But the Indian is fond of his beef; beef and flour compose the main part of his subsistence. Of course he has sugar, coffee, and some other little things; but beef and flour compose the principal part of his subsistence, and for that reason they do not get a sufficient quantity of either.

Q. They get beans, do they not?—A. Very few; and Indians do not take kindly to beans; they are not far enough educated for that. Very few of them ever eat beans at all. Their previous habits of life, of course, have a great deal to do with the matter.

* *

APPENDIX.

It was the original intention to arrange such documents as might be printed in this appendix in the order in which they were referred to by the witnesses. But before the investigation was concluded the amount of documentary matter had accumulated to such an extent that, for the purpose of convenient reference, it has been deemed preferable to arrange these documents systematically, grouping together those dealing with the same subject—those referring to food supplies under one head, to medical supplies under another, &c.—regardless of the alphabetical references in the body of the testimony, which was printed before the completion of this appendix.

TREATIES, ETC.

Treaty between the United States of America and the Northern Cheyenne and Northern Arapahoe tribes of Indians, concluded May 10, 1868; *ratification advised July* 25, 1868.

ANDREW JOHNSON, President of the United States of America, to all and singular to whom these presents shall come, greeting:

* * * * * * *

ARTICLE 1. From this day forward peace between the parties to this treaty shall forever continue. The Government of the United States desires peace, and its honor is hereby pledged to keep it. The Indians desire peace, and they hereby pledge their honor to maintain it. If bad men among the whites, or among other people subject to the authority of the United States, shall commit any wrong upon the person or property of the Indians, the United States will, upon proof made to the agent and forwarded to the Commissioner of Indian Affairs at Washington City, proceed at once to cause the offender to be arrested and punished according to the laws of the United States, and also reimburse the injured person for the loss sustained.

If bad men among the Indians shall commit a wrong or depredation upon the person or property of any one, white, black, or Indian, subject to the authority of the United States and at peace therewith, the Indians herein named solemnly agree that they will, on proof made to their agent, and notice by him, deliver up the wrong-doer to the United States, to be tried and punished according to its laws; and in case they willfully refuse so to do, the person injured shall be reimbursed for his loss from the annuities or other moneys due or to become due to them under this or other treaties made with the United States. And the

President, on advising with the Commissioner of Indian Affairs, shall prescribe such rules and regulations for ascertaining damages under the provisions of this article as in his judgment may be proper. But no such damage shall be adjusted and paid until thoroughly examined and passed upon by the Commissioner of Indian Affairs, and no one sustaining loss while violating, or because of his violating, the provisions of this treaty or the laws of the United States shall be reimbursed therefor.

ARTICLE 2. The Indians, parties to this treaty, hereby agree to accept for their permanent home some portion of the tract of country set apart and designated as a permanent reservation for the Southern Cheyenne and Arapahoe Indians, by a treaty entered into by and between them and the United States, at Medicine Lodge Creek, on the   day of October, eighteen hundred and sixty-seven, or some portion of the country and reservation set apart and designated as a permanent home for the Brulé and other bands of Sioux Indians, by a treaty entered into by and between said Indians and the United States, at Fort Laramie, D. T., on the twenty-ninth day of April, eighteen hundred and sixty-eight. And the Northern Cheyenne and Arapahoe Indians do hereby relinquish, release, and surrender to the United States all right, claim, and interest in and to all territory outside the two reservations above mentioned, except the right to roam and hunt while game shall be found in sufficient quantities to justify the chase. And they do solemnly agree that they will not build any permanent homes outside of said reservations, and that within one year from this date they will attach themselves permanently either to the agency provided for near the mouth of Medicine Lodge Creek, or to the agency about to be established on the Missouri River, near Fort Randall, or to the Crow Agency near Otter Creek, on the Yellowstone River, provided for by treaty of the seventh day of May, eighteen hundred and sixty-eight, entered into by and between United States and said Crow Indians, at Fort Laramie, D. T.; and it is hereby expressly understood that one portion of said Indians may attach themselves to one of the aforementioned reservations, and another portion to another of said reservations, as each part or portion of said Indians may elect.

ARTICLE 3. If any individual belonging to said tribes of Indians, or legally incorporated with them, being the head of a family, shall desire to commence farming, he shall have the privilege to select, in the presence and with the assistance of the agent then in charge, a tract of land within said reservations not exceeding three hundred and twenty acres in extent, which tract, when so selected, certified, and recorded in the "Land Book" as herein directed, shall cease to be held in common, but the same may be occupied and held in the exclusive possession of the person selecting it, and of his family, so long as he or they may continue to cultivate it.

Any person over eighteen years of age, not being the head of a family, may in like manner select and cause to be certified to him or her, for purposes of cultivation, a quantity of land not exceeding eighty acres in extent, and thereupon be entitled to the exclusive possession of the same as above directed.

For each tract of land so selected a certificate containing a description thereof and the name of the person selecting it, with a certificate endorsed thereon that the same has been recorded, shall be delivered to the party entitled to it by the agent after the same shall have been recorded by him in a book to be kept in his office, subject to inspection, which said book shall be known as the "Northern Cheyenne and Arapahoe Land Book."

The President may, at any time, order a survey of the reservation; and, when so surveyed, Congress shall provide for protecting the rights of settlers in their improvements, and may fix the character of the title held by each.

The United States may pass such laws on the subject of alienation and descent of property as between Indians and on all subjects connected with the government of the Indians on said reservations, and the internal police thereof, as may be thought proper.

ARTICLE 4. In order to insure the civilization of the tribe entering into this treaty, the necessity of education is admitted, especially by such of them as are or may be settled on said agricultural reservation, and they therefore pledge themselves to compel their children, male and female, between the ages of six and sixteen years, to attend school; and it is hereby made the duty of the agent for said Indians to see that this stipulation is strictly complied with; and the United States agrees that for every thirty children between said ages, who can be induced or compelled to attend school, a house shall be provided, and a teacher, competent to teach the elementary branches of an English education, shall be furnished, who will reside among said Indians and faithfully discharge his or her duties as a teacher; the provisions of this article to continue for twenty years.

ARTICLE 5. When the head of a family or lodge shall have selected lands, and received his certificate as above directed, and the agent shall be satisfied that he intends in good faith to commence cultivating the soil for a living, he shall be entitled to receive seeds and agricultural implements for the first year in value one hundred dollars, and for each succeeding year he shall continue to farm for a period of three years more he shall be entitled to receive seeds and implements as aforesaid in value twenty-five dollars per annum.

And it is further stipulated that such persons as commence farming shall receive instructions from the farmer herein provided for, and whenever more than one hundred persons shall enter upon the cultivation of the soil a second blacksmith shall be provided, with such iron, steel, and other material as may be needed.

ARTICLE 6. In lieu of all sums of money or other annuities provided to be paid to the Indians herein named, under any and all treaties heretofore made with them, the United States agrees to deliver at the agency house, on the reservation herein provided for, on the first day of September of each year, for thirty years, the following articles, to wit:

For each male person over fourteen years of age, a suit of good substantial woolen clothing, consisting of coat, hat, pantaloons, flannel shirt, and a pair of woolen socks.

For each female over twelve years of age a flannel skirt, or the goods necessary to make it, a pair of woolen hose, twelve yards of calico, and twelve yards of cotton domestics.

For the boys and girls under the ages named, such flannel and cotton goods as may be needed to make each a suit, as aforesaid, together with a pair of woolen hose for each.

And in order that the Commissioner of Indian Affairs may be able to estimate properly for the articles herein named, it shall be the duty of the agent each year to forward to him a full and exact census of the Indians, on which the estimates from year to year can be based.

And in addition to the clothing herein named, the sum of ten dollars shall be annually appropriated for each Indian roaming, and twenty dollars for each Indian engaged in agriculture, for a period of ten years, to be used by the Secretary of the Interior in the purchase of such articles as from time to time the condition and necessities of the Indians may indicate to be proper. And if at any time within the ten years it shall appear that the amount of money needed for clothing under this article can be appropriated to better uses for the tribes herein named, Congress may by law change the appropriation to other purposes; but in no event shall the amount of this appropriation be withdrawn or discontinued for the period named. And the President shall annually detail an officer of the Army to be present and attest the delivery of all goods herein named to the Indians, and he shall inspect and report on the quantity and quality of the goods, and the manner of their delivery. And it is expressly stipulated that each Indian over the age of four years, who shall have removed to and settled permanently upon said reservation, and complied with the stipulations of this treaty, shall be entitled to receive from the United States, for the period of four years after he shall have settled upon said reservation, one pound of meat and one pound of flour per day, provided the Indians cannot furnish their own subsistence at an earlier date. And it is further stipulated that the United States will furnish and deliver to each lodge of Indians, or family of persons legally incorporated with them, who shall remove to the reservation herein described and commence farming, one good American cow and one well broken pair of American oxen, within sixty days after such lodge or family shall have so settled upon said reservation.

ARTICLE 7. The United States hereby agrees to furnish annually to the Indians who settle upon the reservation a physician, teachers, carpenter, miller, engineer, farmer, and blacksmiths, as herein contemplated, and that such appropriations shall be made from time to time on the estimates of the Secretary of the Interior as will be sufficient to employ such persons.

ARTICLE 8. No treaty for the cession of any portion of the reservations herein described, which may be held in common, shall be of any force or validity as against the said Indians, unless executed and signed by at least a majority of all the adult male Indians occupying or interested in the same; and no cession by the tribe shall be understood or construed in such manner as to deprive, without his consent, any individual member of the tribe of his right to any grant of land selected by him, as hereinbefore provided.

ARTICLE 9. It is agreed that the sum of five hundred dollars annually for three years, from the date when they commenced to cultivate a farm, shall be expended in presents to the ten persons of said tribe who, in the judgment of the agent, may grow the most valuable crops for the respective year.

Proclaimed 25th August, 1868.

[Extracts from treaty concluded October 28, 1867; proclaimed August 19, 1868.]

ARTICLE 8. When the head of a family or lodge shall have selected lands and received his certificate as above directed, and the agent shall be satisfied that he intends in good faith to commence cultivating the soil for a living, he shall be entitled to receive seeds and agricultural implements for the first year, not exceeding in value one hundred dollars; and for each succeeding year he shall continue to farm for a period of three years more, he shall be entitled to receive seeds and implements as aforesaid, not exceeding in value twenty-five dollars.

And it is further stipulated that such persons as commence farming shall receive instruction from the farmer herein provided for; and whenever more than one hundred persons shall enter upon the cultivation of the soil, a second blacksmith shall be provided, with such iron, steel, and other material as may be needed. * * *

ARTICLE 10. And, in addition to the clothing herein named, the sum of twenty thousand dollars shall be annually appropriated for a period of thirty years, to be used by the Secretary of the Interior in the purchase of such articles as, from time to time, the condition and necessities of the Indians may indicate to be proper. And if at any time, within the thirty years, it shall appear that the amount of money needed for clothing, under this article, can be appropriated to better uses for the tribe herein named, Congress may, by law, change the appropriation to other purposes; but, in no event, shall the amount of this appropriation be withdrawn or discontinued for the period named. And the President shall, annually, detail an officer of the Army to be present, and attest the delivery of all the goods herein named to the Indians, and he shall inspect and report on the quantity and quality of the goods and the manner of their delivery.

[Act of Congress, February 28, 1877, to ratify an agreement with certain bands of the Sioux Nation of Indians, and also with the Northern Arapaho and Cheyenne Indians.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a certain agreement made by George W. Manypenny, Henry B. Whipple, Jared W. Daniels, Albert G. Boone, Henry C. Bulis, Newton Edmunds, and Augustine S. Gaylord, commissioners on the part of the United States, with the different bands of the Sioux Nation of Indians, and also the Northern Arapaho and Cheyenne Indians, be, and the same is hereby, ratified and confirmed: *Provided*, That nothing in this act shall be construed to authorize the removal of the Sioux Indians to the Indian Territory; and the President of the United States is hereby directed to prohibit the removal of any portion of the Sioux Indians to the Indian Territory until the same shall be authorized by an act of Congress hereafter enacted, except article four, and except also the following portion of article six: "And if said Indians shall remove to said Indian Territory hereinbefore provided, the government shall erect for each of the principal chiefs a good and comfortable dwelling-house," said article not having been agreed to by the Sioux Nation.

Said agreement is in words and figures following, namely:

Article of agreement made pursuant to the provisions of an act of Congress entitled, "An act making appropriation for the current and contingent expenses of the Indian Department, and for fulfilling the treaty stipulations with various Indian tribes, for the year ending June 30th, 1877, and for other purposes," approved August 15, 1876, by and between George W. Manypenny, Henry B. Whipple, Jared W. Daniels, Albert G. Boone, Henry C. Bulis, Newton Edmunnds, and Augustine S. Gaylord, commissioners on the part of the United States, and the different bands of the Sioux Nation of Indians, and also the Northern Arapahoes and Cheyennes, by their chiefs and headmen, whose names are hereby subscribed, they being duly authorized to act in the premises.

ARTICLE 1. The said parties hereby agree that the northern and western boundaries of the reservation defined by article 2 of the treaty between the United States and the different tribes of Sioux Indians, concluded April 29, 1868, and proclaimed February

24, 1869, shall be as follows: The western boundaries shall commence at the intersection of the one hundred and third meridian of longitude with the northern boundary of the State of Nebraska; thence north along said meridian to its intersection with the south fork of the Cheyenne River; thence down said stream to its junction with the north fork; thence by the north fork of said Cheyenne River to the said one hundred and third meridian; thence north along said meridian to the south branch of the Cannon-ball River, or the Cedar Creek; and the northern boundary of the said reservation shall follow the said south branch to its intersection with the main Cannon-ball River; thence down the said main Cannon-ball River to the Missouri River; and the said Indians do hereby relinquish and cede to United States all the territory lying outside of the said reservation as herein modified and described, including all privileges of hunting; and article 16 of said treaty is hereby abrogated.

ARTICLE 2. The said Indians also agree and consent that wagon and other roads, not exceeding three in number, may be constructed and maintained, from convenient and accessible points on the Missouri River, through said reservation to the country lying immediately west thereof, by such routes as shall be designated by the President of the United States; and they also consent and agree to the free navigation of the Missouri River.

ARTICLE 3. The said Indians also agree that they will hereafter receive all annuities provided by the said treaty of 1868, and all subsistence and supplies which may be provided for them under the present or any future act of Congress, at such points and places on the said reservation, and in the vicinity of the Missouri River, as the President of the United States shall designate.

ARTICLE 4. The Government of the United States and the said Indians being mutually desirous that the latter shall be located in a country where they may eventually become self-supporting and acquire the arts of civilized life, it is therefore agreed that said Indians shall select a delegation of five or more chiefs and principal men from each band, which shall, without delay, visit the Indian Territory under the guidance and protection of suitable persons, to be appointed for that purpose by the Department of the Interior, with a view to selecting therein permanent homes for the said Indians. If such delegation shall make a selection which shall be satisfactory to themselves, the people whom they represent, and to the United States, then the Indians agree that they will remove to the country so selected within one year from this date. And the said Indians further agree in all things to submit themselves to such beneficent plans as the government may provide for them in the selection of a country suitable for a permanent home, where they may live like white men.

ARTICLE 5. In consideration of the foregoing cession of territory and rights, and upon full compliance with each and every obligation assumed by the said Indians, the United States does agree to provide all necessary aid to assist the said Indians in the work of civilization; to furnish to them schools and instruction in mechanical and agricultural arts, as provided for by the treaty of 1868. Also, to provide the said Indians with subsistence, consisting of a ration, for each individual, of a pound and a half of beef (or, in lieu thereof, one half pound of bacon), one half pound of flour, and one half pound of corn; and for every one hundred rations, four pounds of coffee, eight pounds of sugar, and three pounds of beans; or, in lieu of said articles, the equivalent thereof in the discretion of the Commissioner of Indian Affairs. Such rations, or so much thereof as may be necessary, shall be continued until the Indians are able to support themselves. Rations shall, in all cases, be issued to the head of each separate family; and, whenever schools shall have been provided by the government for said Indians, no rations shall be issued for children between the ages of six and fourteen years (the sick and infirm excepted), unless such children shall regularly attend school. Whenever the said Indians shall be located upon lands which are suitable for cultivation, rations shall be issued only to the persons and families of those persons who labor (the aged, sick, and infirm excepted); and, as an incentive to industrious habits, the Commissioner of Indian Affairs may provide that such persons be furnished, in payment for their labor, such other necessary articles as are requisite for civilized life. The government will aid said Indians, as far as possible, in finding a market for their surplus productions, and in finding employment, and will purchase such surplus, as far as may be required, for supplying food to those Indians, parties to this agreement, who are unable to sustain themselves; and will also employ Indians, so far as practicable, in the performance of government work upon their reservations.

ARTICLE 6. Whenever the head of a family shall, in good faith, select an allotment of land upon such reservation, and engage in the cultivation thereof, the government shall, with his aid, erect a comfortable house on such allotment; and, if said Indians shall remove to the said Indian Territory as heretofore provided, the government shall erect for each of the principal chiefs a good and comfortable and substantial house.

ARTICLE 7. To improve the morals and industrious habits of said Indians, it is agreed that the agent, trader, farmer, carpenter, blacksmith, and other artisans employed or permitted to reside within the reservation belonging to the Indians, parties to this agreement, shall be lawfully married and living with their respective families on the reservation; no persons other than an Indian of full-blood, whose fitness, morally or otherwise, is not, in the opinion of the Commissioner of Indian Affairs, conducive to the welfare of said Indians, shall receive any benefit from this agreement, or former treaties, and may be expelled from this reservation.

Article 8. The provisions of said treaty of 1868, except as herein modified, shall continue in full force, and, with the provision of this agreement, shall apply to any country which may hereafter be occupied by the said Indians as a home; and Congress shall, by appropriate legislation, secure to them an orderly government; they shall be subject to the laws of the United States, and each Indian shall be protected in his rights of property, and person, and life.

Article 9. The Indians, parties to this agreement, do hereby solemnly pledge themselves, individually and collectively, to observe each and all the stipulations herein contained, to select allotment of lands as soon as possible for their removal to their permanent home, and to use their best efforts to learn to cultivate the same. And they do solemnly pledge themselves that they will at all times maintain peace with the citizens and government of the United States; that they will observe the laws thereof, and loyally endeavor to fulfill all the obligations assumed by them under the treaty of 1868, and the present agreement, and to this end we will, whenever requested by the President of the United States, select so many suitable men from each band to co-operate with him in maintaining order and peace on the reservation as the President may deem necessary, who shall receive such compensation for their services as Congress may provide.

Article 10. In order that the government may faithfully fulfill the stipulation contained in this agreement, it is mutually agreed that a census of all the Indians affected hereby shall be taken in the month of December of each year, and the names of each head of family and adult members be registered; said census to be taken in such manner as the Commissioner of Indian Affairs may direct.

Article 11. It is understood that the permanent "reservation" herein contained shall be held to apply to any country which shall be selected under the authority of the United States as the future home of said Indians.

Signed on the part of the Arapahoes by Living Bear, Spotted Elk, Black Bear, Turkey Legs, and Calfskin Shirt.

Dated and signed at Spotted Tail Agency, Nebraska, September 23, 1876.

ESTIMATES AND APPROPRIATIONS.

Estimates and appropriations for the support of the Cheyennes in connection with several other tribes, and for the Northern Cheyennes and Arapahoes separately, for successive years.

For the Arapahoes, Cheyennes, Apaches, Comanches, Kiowas, and Wichitas.

1877:	
Amount of estimate	$300,000
Amount appropriated	250,000
1878:	
Amount of estimate	300,000
Amount appropriated	240,000
1879:	
Amount of estimate	274,000
Amount appropriated	240,000
Amount of estimate, deficiency	30,000
Amount appropriated, deficiency	30,000
1880:	
Amount of estimate	300,000
Amount appropriated	290,000
Deficiency estimate now before Congress for action	80,000
1881:	
Amount of estimate	350,000
Amount allowed by the House	315,000

For fulfilling treaty with Cheyennes and Arapahoes.

1877:	
Amount of estimate	$52,200
Amount appropriated	52,200
1878:	
Amount of estimate	42,200
Amount appropriated	42,200
1879:	
Amount of estimate	42,200
Amount appropriated	40,000
1880:	
Amount of estimate	40,000
Amount appropriated	40,000

For fulfilling treaty with Northern Cheyennes and Arapahoes.

1877:	
Amount of estimate	$39,200
Amount appropriated	39,200
1878:	
Amount of estimate	36,700
Amount appropriated	36,700
1879:	
Amount of estimate	18,700
Amount appropriated	18,000
1880:	
Amount of estimate	55,500
Amount appropriated	53,000

FLIGHT OF THE DULL-KNIFE BAND.

SUMMARY OF EVENTS PRECEDING AND ATTENDING THEIR ESCAPE.

[Letter from the Commissioner of Indian Affairs to the Secretary of the Interior.]

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, D. C., January 23, 1879.

SIR: In compliance with your verbal request for a report in regard to the removal to the Indian Territory of the Northern Cheyennes in May, 1877, I have the honor to submit the following:

By the treaty of May 10, 1868, the Northern Cheyennes and Arapahoes agreed to remove to and settle on a reservation among the Crows, the Sioux, or the Southern Cheyennes and Arapahoes in the Indian Territory.

In the fall of 1873 delegations of the northern and southern branches of the tribes met in Washington, and effort was made to induce the former to accept the cordial invitation of the latter to share their reserve in the Indian Territory; but all overtures were met with decided opposition by the representatives of the northern tribes.

The next Indian appropriation act, approved June 22, 1874, contained a clause prohibiting the Northern Cheyennes and Arapahoes from receiving supplies until they should join the rest of their tribe in the south.

Before arrangements for complying with the terms of the act could be perfected hostilities broke out in the Indian Territory between the Southern Cheyennes and Arapahoes—as well as the Kiowas and Comanches—and the United States Government; and pending such hostilities it was deemed inexpedient to undertake the removal of any Indians thither. The Northern Cheyennes and Arapahoes were therefore required, before receiving any supplies or annuities, to enter into an agreement to remove to the Indian Territory whenever the government should see fit. This agreement is dated Red Cloud Agency, November 12, 1874.

In the next appropriation act, approved March 3, 1875, the restrictive clause of the former act was repealed, and it was provided instead "that said Northern Cheyennes and Arapahoes shall, if required by the Secretary of the Interior, remove to their reservation in the Indian Territory before the delivery of said supplies appropriated for by the foregoing clauses."

The war in the Indian Territory closed in April, 1875, but steps toward effecting the removal were again postponed, because of pending negotiations with the Sioux to obtain the cession of the Black Hills, and the fear that a disturbance at Red Cloud Agency, which would be likely to result from an attempt to remove the Northern Cheyennes and Arapahoes, would thwart the efforts of the Black Hills commission to obtain the consent of the Indians to the proposed cession.

On the 16th of October, 1875, this office requested that an order be issued directing those Indians to remove, and that the honorable Secretary of War be requested to take measures to enforce their removal, in case they should decline to obey the order of the department.

In reply, the honorable Secretary of War stated, under date of November 18, 1875, that the matter "has been referred to the military authorities for information, and that it is the opinion of General Sheridan the change should not be made at this time."

Three months later, in February, 1876, the Sioux war broke out, in which the Northern Cheyennes and a small portion of the Arapahoes took prompt and active part as hostiles. The war continued till the spring of 1877, when it was virtually closed in May by the surrender at Red Cloud Agency of the main body of the Cheyennes.

Meantime the Indian appropriation act of August 15, 1876, had again made the delivery of supplies to these Indians contingent on their removal south.

On the 17th of May, 1877, the office received copy of dispatch of May 15 from General Sheridan to General Sherman, stating that the Northern Cheyennes, to the number of 1,400, desired to go to the Indian Territory, and strongly urging their removal thither. The office, under date of the 18th of May, telegraphed to the adjutant-general its approval of such removal, and on the 29th received telegram from Lieutenant Lawton that he was *en route* with 972 Cheyennes, whose removal he had been directed to superintend.

I also forward copy of telegram from General Sheridan, dated the 6th of June, 1877, regretting the failure of the military authorities to completely disarm the Indians before sending them south, and directing General Pope to use his judgment in the matter on their arrival at Fort Reno. With it is a copy of report of Major Mizner, commanding Fort Reno, dated August 8, 1877, announcing the arrival of the Cheyennes at the fort on the 5th, and their delivery by him to the United States Indian agent of the Cheyenne and Arapahoe Agency.

Mention is made of their being required to surrender stock before being turned over to the civil authorities, but no demand seems to have been made upon them for the surrender of retained arms.

The northern Arapahoes were shortly after removed to the Wind River Reserve in Wyoming.

When the Northern Cheyennes arrived at their new agency, they said that they had come there to try it and see how they liked it; that if they did not like it they would go back north again. Dull-Knife's band wanted the distribution of supplies made to the chiefs instead of to heads of families, as is the custom, and the first issue made to heads of families displeased them. Then they compelled the squaws to put the supplies received into a heap, and the chiefs helped themselves first and left the remainder to be divided among their inferiors and the women and children. Afterwards the agent took measures to prevent any further distributions of that kind and delivered only to heads of families. Previous to the 5th day of September, 1878, the agent received information that Dull-Knife and his party were about to go north. On the 5th Agent Miles informed Major Mizner of the fact, and requested that troops might be so placed as to prevent their escape. The same day Major Mizner sent out two companies of cavalry under Captain Rendlebrock, who encamped within four miles of Dull-Knife's band. In consequence of their halting at this distance from the Indian camp, the Indians were enabled to make their escape nine hours before the officer in command became aware of the fact. The particulars of the escape and the causes which led to the outbreak are more fully detailed in the reports herewith from Agent Miles, which fully refute the charge made by officers of the Army that the dissatisfaction of the Indians was caused by scanty and irregular rations, which matter I discussed at length in my report to you on the subject dated the 16th of November last.

The campaign against these hostiles on the part of the Army is well known, and also the surrender of the Indians, to the number of about 150, on the 20th of October last.

The subsequent history of those surrendered, and their escape from the military, with copies of the documents relating thereto, is covered by my communication to you of the 20th instant.

I have the honor to be, sir, very respectfully, your obedient servant,

E. A. HAYT,
Commissioner.

The Hon. SECRETARY OF THE INTERIOR.

FIRST OFFICIAL REPORT OF THE AGENT.

UNITED STATES INDIAN SERVICE,
CHEYENNE AND ARAPAHOE AGENCY, IDAHO,
September 10, 1878.

SIR: I have the honor to report that on the 5th instant word was brought to me by a number of Indian police that some of the Northern Cheyennes had left the reservation with the intention of going north. Instructions were immediately given that all the Northern Cheyennes should report at this office the next day to the end that the exact number of those who had left the reservation could be ascertained; and information was also given Col. T. K. Mizner, commanding at Fort Reno, that the supposition was a party had left. Colonel Mizner immediately sent out a party of troops to watch movements and be prepared to take such steps as would seem necessary when the number of deserters had been fully ascertained. On the 7th instant word was again sent them to move in and be enrolled, they not having complied with the first order. All that time they acknowledged that a party of about twenty-five were absent, but that this party had not gone off, but were hunting deer, &c., on the salt plains, and the supposition was that the delay was due to their desire to wait until this party returned.

Last evening a party of them came in and acknowledged three or four foolish young men had gone north, and stated that while they were all right they did not want to move in, fearing something bad would happen. They were assured that no harm would be done them; that the enrollment ordered was simply to enable this office to know if they spoke the truth; that it was not the desire of any one to injure in any way those who had remained, but simply to punish those who had left. While they were in the office Colonel Mizner came over from the post, and, confirming all I had told them of the purpose of the enrollment, further told them that his troops were near them without intent to injure one of them; that they must obey the orders they had received or suffer the consequences, and gave them until to-night to move into the agency and occupy the camping ground assigned them.

At 3 a. m. to-day the captain of Indian police and American Horse, one of the Northern Cheyenne chiefs, aroused me with the information that the majority of the disaffected Northern Cheyennes had left at about 10 p. m. last night, leaving their lodges standing. American Horse, with eight lodges, had withdrawn from the main body, with the loss of nearly all his property. Colonel Mizner was immediately notified, and this morning, at my request, the troops were started in pursuit, accompanied by fifteen Indian police as trailers and guides, and probably by other Indians, from whom the Cheyennes had stolen stock. The number which had left, as nearly as it is possible to tell until matters settle a little more, is 353, under the following chiefs, viz: Dull Knife, Wild Hog, Little Wolf, Crow Indian, Chewing Gum, Old Bear, Squaw, Black Horse, Day, and Red Blanket. Of the number gone, 92 are men, 120 women, 69 boys, and 72 girls.

This disaffection is confined entirely to the Northern Cheyennes, and the Southern Cheyennes give them neither encouragement nor assistance, and are in no wise affected by the action of those who have left.

Very respectfully,

JOHN D. MILES,
United States Indian Agent.

Hon. E. A. HAYT,
Commissioner Indian Affairs, Washington, D. C.

MONTHLY REPORT OF THE AGENT.

OFFICE UNITED STATES INDIAN AGENT,
CHEYENNE AND ARAPAHOE AGENCY,
Darlington, Idaho, September 30, 1830.

SIR: * * * About the 5th of the month information was given by Southern Cheyennes and Arapahoes that they were missing some of their best horses, and that they believed it was the Northern Cheyennes that were taking them, and that the thieves were with the band under the leadership of Dull Knife, Little Wolf, Wild Hog, and Old Crow. Subsequent information was to the effect that three young men from this party had already gone north, and that others were preparing to follow; that there was being a party organized near the Salt Plains, where the stolen animals were being concentrated. With the view to ascertain the truth or falsity of these statements, an enrollment of all the male adults of the Northern Cheyennes was ordered, which was promptly obeyed by all the Northern Cheyennes who have affiliated with the Southern Cheyennes, but was stoutly refused by the Dull Knife party. Every effort was made by mild and firm measures to have them comply with the order, assuring them of our good intentions, but without the desired effect. To have included the women in the count, a very large majority of the band would have gladly submitted to the count and remained at the agency; but those in authority (the soldier element of the band) ordered it otherwise, and in order to resist an effort at a compulsory count they began the work of intrenching in the sand hills near their camps; but from some cause this plan was abandoned.

On the night of the 9th of the month they quietly packed their ponies and struck north, leaving their lodges standing. Troops from Fort Reno, Idaho, were sent in pursuit, with the view to bring them back to the agency. On the 13th of the month they were overtaken about fifty miles northeast from Camp Supply, on the Cimarron River. A battle was fought, in which the troops lost three killed and some wounded; Chalk, a friendly Arapahoe, who accompanied the troops as one of the guides and trailers, was mortally wounded. The loss sustained by the Indians is not known to this date. After this battle the Indians split up into small parties and, it is reported, have been raiding on the ranches and cattle herds on the border of Kansas and on the road between Dodge City, Kans., and Camp Supply, Idaho, killing some persons and wounding others. As soon as these Indians left the agency your office was notified by telegraph; also a prominent citizen in Dodge City, Kans., in order that they of the border might be early apprised of the approach of those who might do them injury.

According to the best information we have been able to get, up to this date, the number of those who have left does not exceed three hundred and fifty persons, of whom about ninety are men and the balance women and children (counting all under 14 years children). They did not affiliate with the Southern Cheyennes, and have at all times and on all occasions expressed their dissatisfaction with the country at this agency, and with almost everything connected with department regulations and their management, calling the other Indians of the agency "fools" for working and conforming to the ways of the whites, and expressing their preference to go back north, where they could have greater liberty.

In addition to these general grievances and other causes which they claim were promised them as part of the consideration in obtaining their consent to come to this country, I will say that the full list of rations named in their treaty of 1876 has not been furnished them. Yet they have never received less than three pounds, gross, of beef for ration, and in addition have received such other rations as were in store and issued to the other Indians of the agency, with the exception of two or three weekly issues (in May), when the issues of sugar and coffee were withheld from them in conformity with department circular No. 10, dated March 1st, 1878, and supplemental circular No. 13, dated April 15, 1878, requiring labor in lieu of rations. Aside from these instances there has been no difference in the issues at this agency. The issues have been made carefully and promptly as set forth in regulations, when the supplies have been in store, and complaints of "short rations" have been the exception, excepting from the Northern Cheyennes who left; and they have had no real cause for complaint on this point. On this point I would respectfully refer to General Jno. McNeil, inspector, and Lieut. H. Sweeney, Fourth Cavalry, the latter having witnessed the deliveries of beef each week.

Standing Elk, Living Bear, and other leading chiefs of the Northern Cheyennes, have on all occasions expressed themselves well satisfied, who, with the Southern Cheyennes and Arapahoes, have invariably expressed their disapprobation of the course taken by the stampeding Cheyennes. They have counted them as a band of "thieving rascals," who were only anxious to get back among those of their own stripe.

* * *

(Signed) **JOHN D. MILES,**
United States Indian Agent.

Hon. E. A. HAYT,
Commissioner of Indian Affairs, Washington, D. C.

[From the annual report (1879) of General George Crook.]

HEADQUARTERS DEPARTMENT OF THE PLATTE,
Fort Omaha, Nebr., September 27, 1879.

SIR: Since my last annual report the outbreak of the Cheyenne Indians from their reservation in Indian Territory, coming as it did at a time when the main portion of the command was in the field in the northern part of the department watching for prowling bands of Sioux, occasioned serious trouble and danger to the settlements in Western Nebraska. Every available man was at once dispatched to intercept them or drive them back.

The expeditions commanded by Majors Thornburgh and Carlton did faithful and arduous work and met with as much success as might be expected in the pursuit of savages resolved at all hazards to escape, and thoroughly acquainted with every feature of the country. These Indians were entirely unencumbered with baggage, were well mounted, and stealing fresh horses from every stock ranch; and to catch them would be as hard a task as to catch a flock of frightened crows.

On the 23d October the greater part of the Cheyennes were met by Major Carlton's command in the sand hills about 40 miles southeast of Camp Sheridan, Nebraska, and after a parley surrendered. They said that they had left the Indian Territory on account of chills and fever and an insufficiency of food, and manifested a determination to die rather than be sent back, although they said they would gladly remain at peace with the whites if allowed to live in a healthy locality and treated with honesty and justice; and I am satisfied they never would have surrendered had they not thought that they would have been permitted to remain north. They adhered so firmly to their statements that it was impossible not to believe that there must have been some good grounds for their leaving the Indian Territory.

Among these Cheyenne Indians were some of the bravest and most efficient of the auxiliaries who had acted under General Mackenzie and myself in the campaign against the hostile Sioux in 1876 and 1877, and I still preserve a grateful remembrance of their distinguished services which the government seems to have forgotten.

In the arduous labor involved in the pursuit of these Cheyennes, I deem it my duty to speak in terms of warm commendation of the services rendered by the commands of Majors Thornburgh and Carlton and that under Colonel Tilford, Seventh Cavalry, from the Department of Dakota, operating within the limits of this department.

The captured Cheyennes were taken to Fort Robinson, Nebr., and there confined in a set of company quarters. They repeated their expressions of desire to live at peace with our people, but said they would kill themselves sooner than be taken back to the Indian Territory. These statements were confirmed by Red Cloud and other friendly Sioux chiefs, who assured us that the Cheyennes had left their reservation in the Indian Territory to avoid fever and starvation, and that they would die, to the last man, woman, and child before they could be taken from the quarters in which they were confined. All this information was promptly reported to higher authority, and instructions urgently requested; but no action was taken until the very last days of December, when orders were received to remove them south. At this time the thermometer at Fort Robinson showed a range of from zero down to nearly 40° below (the freezing point of mercury). The captives were without adequate clothing, and no provision had been made to supply it until very late in the season, which occasioned a further delay until the beginning of January.

The Cheyennes had now become satisfied that their complaints would not be considered, and the situation of affairs became desperate. They demanded several times to be informed whether or not they were to be taken back south to the Indian Territory, and reiterated their determination to die rather than leave the post of Fort Robinson. Two or three of their party were anxious to yield, but their comrades threatened their lives if they made any attempt to leave the building. Every argument failed; every persuasion was tried. To have entered the building to seize the ringleaders would have been the signal for the commencement of a fearful and unnecessary carnage; the Indians had dug rifle-pits commanding all entrances, and were supplied with knives and slings, made by breaking the stoves in their quarters. Having tried every means in his power and failed, and there being no change in the orders from Washington, Captain Wessells, the officer in charge, had no alternative but a resort to harsh measures. He made overtures to the chiefs and head men to let the women and children come out from the building, so that they might not suffer in any conflict that might arise; but the Indians defiantly rejected every attempt at compromise, saying, "We'll all die here together sooner than be sent south."

Captain Wessells then stopped the issue of food and fuel, hoping to bring them more speedily to terms. I may say here that this measure, criticised by the rules for the *theoretical* management of Indians, seems to have been a severe one; but I ask, and I claim to have had as much experience in the management of Indian tribes as any man in this country, what alternative could have been adopted? During the twenty-seven years of my experience with the Indian question, I have never known a band of Indians to make peace with our government and then break it, or leave their reservation, without some ground of complaint; but until their complaints are examined and adjusted, they will constantly give annoyance and trouble.

In the present case, the Cheyennes claimed that they had been wronged, and had become as desperate as a pack of wolves. The Army had orders to take them back to the Indian Territory, and had no option in the matter. It seems to me to have been, to say the least, a very unnecessary exercise of power to insist upon this particular portion of the band going back to their former reservation, while the other fragments of the same band, which surrendered to the troops on the Yellowstone or escaped to he Red Cloud and Spotted Tail Reservations, had been allowed to remain north unmolested, more especially since we have every reason to believe that the latter were the principal actors in the outrages perpetrated in Kansas, and know that they murdered several persons since he surrender of those confined at Fort Robinson.

About the dead of night, on the 9th of January, the Cheyennes made a sudden break through the windows and doors of their place of confinement, shooting down the sentinels with arms they had managed to obtain, and possessing themselves, in addition, of the carbines and revolvers of the soldiers killed. After this they moved in one compact mass toward the high bluffs back of the post, fighting desperately all he while, women with men. It was impossible, in the darkness, cold, xcitement, and confusion, to avoid the deplorable results that might be expected. A number of the squaws were killed and wounded in the affray, although officers and men used every care to capture, where possible, without inflicting injuries, and a number of our men froze hands and feet while taking women and children back to the post.

It is unnecessary to enter more at length into this subject, as the reports, telegrams, and letters already in your office are complete and voluminous.

At present, affairs in the department are in a very satisfactory condition, the only trouble being with the Utes of the White River Agency, Colorado (to which point troops from this department have just been sent), and which trouble I hope may soon be adjusted.

The rapid construction of branches in Utah, Idaho, and Nebraska by he Union Pacific Railroad is doing much to reduce expenditures by lessening freight charges, and giving greater facilities for the transportation of troops.

The reports of the chiefs of the various staff departments contain accurate and complete information as to their workings. I invite attention to the various suggestions made, especially that by Colonel Royall, nspector-general, about commissary sergeants, that of Captain Stanton, ngineer officer, about furnishing an annual allowance of $3,000 for the xpenses of surveys in this department, and that of Major Burnham, udge-advocate, that he should be supplied with books of authority upon he various subjects coming within the scope of his duties.

Very respectfully, your obedient servant,

GEORGE CROOK,
Brigadier General, Commanding.

The Assistant Adjutant-General,
Military Division of the Missouri,
Chicago, Ill.

Omaha, Nebr., *November* 1, 1878.

To General P. H. Sheridan,
Commanding Military Division of Missouri, Chicago, Ill.:

Carlton telegraphs, "Colonel Merritt writes that Red Cloud wishes to visit prisoners here sent him and to come. Red Cloud requests their knives to be taken from them, as they will kill themselves if necessary to prevent returning south; also says those who committed outrages have already escaped north; that those captured had avoided committing outrages. I have every reason to believe that Red Cloud's opinion is correct."

GEO. CROOK,
Brigadier-General, Commanding.

[Indorsement.]

HEADQUARTERS MILITARY DIVISION MISSOURI,
Chicago, November 5, 1878.

Respectfully forwarded to the Adjutant-General of the Army.

It looks to me as if there was an unnecessary amount of sympathy in the Department of the Platte for these Cheyenne prisoners, and I wish to state also that I have had my suspicions that these Indians had some encouragement to come up before they were started. I sympathize with Indians as much as any one, but I think to encourage Indians in opposition to the policy of the government is a matter of doubtful propriety.

The condition of these Indians is pitiable, but it is my opinion that unless they are sent back to where they came from, the whole reservation system will receive a shock which will endanger its stability.

Most of the reservation Indians are dissatisfied, and if they can leave without punishment or fear of being sent back, they will not stay long.

These Indians certainly should be sent back to their reservation or those at the reservation should be permitted to come north.

P. H. SHERIDAN,
Lieutenant-General.

[Documents accompanying General Crook's report.]

FORT ROBINSON, NEBR., *Jan.* 15*th.*

General CROOK, *Omaha, Nebr.*:

Upon a full investigation of the recent Cheyenne troubles here, I find the facts as follows: On the 3d instant the head men were notified by Captain Wessells that the authorities in Washington decided that they must go back south. Without giving a decisive answer they retired to consult with their people. On the next day Hog, as spokesman, gave an unequivocal negative, saying, as had the others on numerous occasions, that they were resolved to die first. A few having been examined and professed willingness to go, were allowed to return to the prison for their effects, but were forcibly detained by the others. The attempt to starve and freeze them out was now the last and only alternative. On the 9th instant it was decided to arrest Hog as the leading oppositionist. He having been with difficulty induced to come out, was ironed, but after a struggle, in which a soldier was stabbed. The Indians in the prison, knowing of this, immediately barricaded the doors and covered the windows with cloth to conceal their movements, tearing up the floor and constructing rifle-pits to command all the windows. From this time the prison was like a den of rattlesnakes, and any white man who had shown his head in the room would have met certain death. It was supposed, of course, that the Indians had no arms other than a few knives. During the evening the building was as quiet as a grave, and the six sentinels who surrounded it suspected no danger. At ten minutes before ten o'clock four shots were fired from the west end of the building, killing two of the sentinels; shots were also fired from a front window into the guard-room, wounding a corporal. Simultaneously a rush was made through all the windows, the Indians sallying out resolved to kill and be killed, like Malays running a muck. The guard and other troops gave chase. The Indians moved south toward the creek, the squaws being driven in a mass ahead of the men, at least five of the latter keeping up an incessant fire. It was in returning the fire that several women and children were killed. No woman or child was intentionally harmed, and, in fact, many officers and soldiers showed great daring in trying to save them. To take the men prisoners was impossible, as they all refused to surrender, and when exhausted stood at bay. Several soldiers lost their lives in trying to capture such men. No Indian was killed who could have been captured. When these Cheyennes were first captured they were partially disarmed, and several guns and pistols were taken from them. After they had entered the prison they had ample time to conceal arms under the floors, that place of deposit not being searched.

The prison had been so guarded that the theory of arms having been introduced subsequently to their incarceration is scarcely tenable; yet events proved that they had at least fifteen guns, in addition to two obtained from the dead sentinels, and some few revolvers. They are well supplied with knives. There are many proofs that a desperate outbreak was long premeditated. The squaws say that the men feared hanging if they returned south, and that in this affair all expected to die. From the time they knew their removal was decided upon they were in such a state of mind that were the movement to be attempted in any way it would simply be a question as to who should be killed, white man or Indian.

Casualties to date: Soldiers, killed, 5; wounded, 7. Indians, captured, 71; killed, 32.

A company resumed the trail to-day; another will start to-morrow. Please acknowledge receipt.

W. S. SCHUYLER,
Aid-de-Camp.

[Telegram.]

FORT ROBINSON, NEBR., *January* 16, 1879.

To General CROOK, *Omaha, Nebr.:*

The squaws refuse to talk; but I have interviewed Hog, Crow, and Left Hand. They say that all the young men, including those of their party, were actively engaged in the Kansas outrages, though the old men tried to restrain them; probably at least fifteen of those lately in prison here were engaged in those massacres. Hog and Crow repeat emphatically what I stated in my report, "that the Cheyennes would never have been gotten out of their prison alive after they knew that they had to go south." The cutting down their rations only made them more desperate, because it proved that the government would not change its determination; they feared to be sent to Florida, or otherwise severely dealt with; they say that the arms must have been taken apart and concealed in their clothing when first confined, though they refuse to give much information on this point; they also say that, if any of the fugitives escape the troops, it is uncertain where they will go, but probably to join Little Wolf, whom they believe to be in the vicinity of the Powder. * * *

W. S. SCHUYLER, *A. D. C.*

went into camp. During the night it turned suddenly quite cold and snowed some four inches.

Believing no large body of Indians could have escaped observation from the second scouting party, and that some mistake had been made by the first, the next morning I ordered the command to move slowly back on our trail. I took six of the scouts, giving three of them an extra animal and rations, and thoroughly scoured the country adjacent to the point where the hostiles had been reported as having been seen; finding nothing which justified any further retention of the command, I sent Interpreter Fleury and two Indians "I had prepared for the trip" forward to complete the scout first ordered to the Little Missouri, &c., and rejoined my command and reached my tents at Powder River on March 14. During the trip some of the men were slightly frosted, but none seriously injured.

On the 17th, I asked for some Cheyenne scouts, and six were sent me, reaching my camp on the 19th. No suitable interpreter was sent with them. I asked to have one sent, but was informed, for misconduct, "Seminole," the only one at Keogh, had been discharged, and would not be re employed. I sent for him to join me at my personal expense, as I deemed it very important and necessary that a perfect understanding should be had with these Cheyenne scouts. I told them of my orders; that I must capture or kill these hostiles; that possibly, by going with me, they could save their kinsfolk; that if I could surprise them and capture their stock, it might open their ears and they would surrender without fighting; if I could not surprise them, then, when I got very close, they could go into the camp, represent the danger of an engagement, the number of troops out after them, the extreme difficulty of crossing the streams to the north, and the indifferent welcome which they would probably receive from the Sioux; that the hostiles had left their agency in the south for reasons which I did not fully understand and could not explain to them; that it was claimed they had committed atrocities along the line of their march, and I knew some whites had been killed by them; that Little Wolf had been an enlisted scout under my command, and I thought would have confidence in any message he might get from me. I also said I had recommended that these hostiles be allowed to go to the Arapahoe Agency, but I could make no promises in regard to it. I could only say, give up ponies and guns, and I would not fight them. That, if after this understanding, they (the Cheyenne scouts) did not feel they could act earnestly in the matter with me, they could go back to the post.

One of the headmen replied that to shoot at these people (the hostiles) would be like going back and firing at the children in his own lodge; the other, Brave Wolf, said that he was a soldier, and though he had kin in the hostile village, he would do as he was ordered. I desired a perfect understanding with these scouts, as I felt they would be the means through which I must, in any event, at first communicate with the hostiles to secure a surrender either before or after a fight, and I hoped to secure a victory without loss of life, keenly appreciating the fact, however, that a victory gained at the expense of deception would indeed be dearly bought. I had just concluded this talk, or council, when one of the Sioux scouts, who had been sent over to the Little Missouri, came into camp. He told me the hostiles had captured his party, [illegible] March 20, near mouth of Box Elder Creek; that they had built a little fire to cook coffee, when the grass caught and betrayed them to one of the hostiles who was in the immediate vicinity, and soon they were surrounded and taken into the hostile camp. They lied brilliantly and successfully, and made the hostiles believe they were on their way to Sitting Bull's camp; that they had stolen the government stock, and that they would lead them to a good ford across the Yellowstone, and tell them where they could cross the Missouri, and would make their reception all right with Sitting Bull. The next morning he got one of the hostiles to go out hunting with him, and, at about noon, got away from him, and had ridden fast and hard to bring me the news. He had ridden, in fact, 125 miles in twenty-four hours.

I broke camp at 4 p. m., taking wagons and packs, and marched 22 miles on Bismarck stage road and went into camp at 11 p. m., and soon after Fleury and the other Sioux scout who had been captured came into camp, having escaped that morning. Fear had also given them good spurs, and they had ridden 90 miles that day.

Believing that the hostiles would at once feel convinced that they had been deceived and would turn back or press hurriedly forward and try and cross the Yellowstone before I could reach them, I left the wagons at this point, and taking eight days' rations and as much forage as possible, on packs, marched 45 miles. The next day I sent three Cheyenne scouts and two Sioux on to learn what they could about the trail and location of the village.

On March 24, after I had made some 35 miles, I met the two Sioux scouts returning. They reported the trail as turning back and recrossing "Hole in the Rock Creek," and that the three Cheyenne scouts had continued on the trail. I went forward about 10 miles and camped on this creek. My scouts told me that the hostiles had undoubtedly become convinced soon after the escape of the prisoners that troops were in the country after them, and were making for a particularly strong place well known to both the Cheyenne and Sioux Indians. The place may possibly be identical with what is put down on the map as "Hole in the Rock," but it appears nearer the mouth of Box Elder Creek.

The next morning I struck an old camp of the hostiles, two days old, after I had marched some three miles, and about two miles further two of my Cheyenne scouts met me, bringing three of the hostiles with them; said they went into the camp during the night, and had delivered my terms, which the hostiles said they would accept. The Three Cheyennes brought to me corroborated the statement but desired me to go into camp where I was, and their village would move over and join me; that if I marched up to their camp the women and children might get frightened, and there might be some trouble. I declined, of course, to do anything of this sort, but selected the two head men Brave Wolf and Two Moon, of my Cheyenne scouts, to ride on ahead and renew briefly, kindly, and firmly my terms, and bring Little Wolf out to meet me as I approached the village with my command.

This the scouts did, and Brave Wolf added to the message in delivering it, "I love the soldiers of Keogh; I go with them to fight all their enemies, and if you will not listen you will force me to fight my own people, for you are my kinsfolk."

Little Wolf met me about half a mile from his camp, and said he would accept the terms offered by my scouts, and that he was glad to meet me again. I marched my command to within one hundred yards of the village, which was in a natural fortress, and they had strengthened it by breastworks of stone and dirt, and put my forces in the next best and strongest position about there, both for their protection and to attack in case there should be any necessity for such a measure. After about an hour, to allow the excitement to wear away and give my Cheyenne scouts time to talk the matter over with them, I went over to the camp, taking off my arms, to show them that I had confidence in them, and briefly told them in council what they must do, as far as I was concerned. That I had told my scouts to give them no lies, and I hoped they had done so, as I told them; that the guns and ponies must be given up. This was the price of peace, and they must pay it. I wanted the guns then, and would take the ponies when we reached Keogh; that I was truly and heartily glad we had arranged this matter without loss of life on either side; they had ears and sense; they must listen and use their reason; there were many troops and Indian scouts in the country, and I thought they were wise to surrender.

Little Wolf said, in reply, "Since I left you at Red Cloud we have been south, and have suffered a great deal down there. Many have died of diseases which we have no name for. Our hearts looked and longed for this country where we were born. There are only a few of us left, and we only wanted a little ground, where we could live. We left our lodges standing, and ran away in the night. The troops followed us I rode out and told the troops we did not want to fight; we only wanted to go north, and if they would let us alone we would kill no one. The only reply we got was a volley. After that we had to fight our way, but we killed none who did not fire at us first. My brother, Dull Knife, took one-half of the band and surrendered near Camp Robinson. He thought you were still there and would look out for him. They gave up their guns, and then the whites killed them all. I am out in the prairie, and need my guns here. When I get to Keogh I will give you the guns and ponies, but I cannot give up the guns now. You are the only one who has offered to talk before fighting, and it looks as though the wind, which has made our hearts flutter for so long, would now go down. I am very glad we did not fight, and that none of my people or yours have been killed. My young men are brave, and would be glad to go with you to fight the Sioux."

One or two others followed with similar remarks. They were suspicious, and the idea of giving up guns at once startled them, and in the fear of this to them immediate danger forgot the future, and failed to ask me any questions about staying in the northern country. I therefore held them to the terms as long as I deemed judicious, and then compromised on my wagons as to the place of giving up guns, to which they agreed. I felt that from this time out they could camp where I told them, and I could reverse our present position; and though I had no fear whatever of trouble, I deemed it best to secure this advantage at once. I therefore told them to pack up and we could move out a short distance this afternoon. We moved about six miles and camped. I issued them some rations, and Dr. Sabin kindly looked after their sick and cared for their wounded; and by the time we reached our wagons, a great deal of confidence had been restored and good feeling nearly established.

At this point they surrendered the following arms: 4 Springfield carbines, caliber .45; 3 Springfield rifles, caliber .50; 4 Sharpes' carbines, caliber .50; 1 Sharp's rifle. caliber .50; 4 Sharp's rifles, caliber .45; 1 muzzle-loading rifle; 3 Winchester-Henry repeating carbines, caliber .43; 3 Colt's revolvers, caliber .45; 2 Smith & Wesson revolvers, caliber. 45; 5 Colt's revolvers, caliber .44 and .31; and 1 Remington revolver.

They had expended a good deal of ammunition since they surrendered, as I had allowed them to hunt each day. I permitted the matter to rest as though I was perfectly satisfied and convinced that all arms had been given up. I however told some of my scouts to examine privately after arms, and secured the services of Brave Wolf's brother, a young man in Little Wolf's band, to ascertain if any arms had been withheld; none could be found in this way.

On the morning of April 1, about six miles from post I halted the command. I had ordered Lieutenant Tillson with his detachment to remain in rear of the Indians; ordered Lieutenant Kingsbury with his company pretty well out to the right, and Company E, Second Cavalry, to the left, thus quietly forming a sort of hollow square, with enlisted scouts in front, and apparently as the accidental result of a halt for the Indians to close up. I then called Little Wolf and all his men to me and they formed, as usual, in a circle around me, seated on the ground. I told them that the orders were positive and imperative in regard to arms; I had no option in the matter; that I must not only satisfy myself, but I must take such measures as would satisfy those who issued the orders in regard to the terms through which they secured peace. Enumerating the arms surrendered when I reached the wagons, and that it was only natural to suppose that 33 men would have more than 30 stand of arms; that at that time some of them were troubled with suspicions and distrust, and it was perfectly natural they should try and retain some of their arms to protect themselves from the imaginary dangers, and those who had so retained arms must now give them up. They said they had given up all they had. I asked them if they could all arise, throw back their blankets, and show me that none of them had arms on their persons; they said they could, and did. I then had my scouts examine every pack and bundle, and they could find no arms. I had concluded that if they had any pistols they would naturally wear them on the day of reaching the post, as, of course, there would be more or less uncertainty in their minds as to what disposition would be made of them, and that this measure would effect as complete a disarmament as could be secured.

I reached the post at 11 a. m., and camped the two companies with the Indians, awaiting further instructions.

While the command was out the thermometer indicated 33° below zero; it has snowed and rained, and the ice has gone out of the streams, leaving them swollen, difficult and dangerous to ford.

No men were lost, and but two condemned quartermaster's horses abandoned; and the stock generally is in better condition to-day for a long trip than when I left the post.

I desire, in conclusion, to express my sincere thanks to Lieutenant Kingsbury, commanding Company I, Second Cavalry, Lieutenant Tillson, commanding the detachment of 20 men and artillery squad, and Acting Assistant-Surgeon Sabin for the prompt, hearty, and efficient manner in which they have carried out all my orders, performed all duties while on the campaign, the cheerful and uncomplaining way they have endured all its hardships.

I cannot speak too strongly in praise of the prompt and willing way in which the men of the command have performed every duty, and the earnest, sincere, and efficient manner in which the Indian scouts and interpreters, both Sioux and Cheyennes, have aided and assisted the campaign to a successful termination, for without their aid and hearty co-operation, as I have before reported, I could have done nothing.

I am, sir, very respectfully, your obedient servant,

W. P. CLARK,
First Lieutenant Second Cavalry.

POST ADJUTANT,
Fort Keogh, Mont.

REMARKS OF SECRETARY SCHURZ.

[The following remarks made by Secretary Schurz before the Senate Committee on Indian Affairs, in connection with the preceding dispatches and letters, (and some to follow, under the heading of "Food supplies"), are those to which the Secretary refers in his remarks to be found in the accompanying testimony, May 15.]

Senator ALLISON. Have you any information as to the treatment of these Cheyennes at Camp Robinson after they were placed there under the surveillance of the military and up to the time that they broke out?

Secretary SCHURZ. The Interior Department having absolutely nothing to do with them during that period, while they were under the control of the Army, I have no knowledge of the facts you refer to, except such as is derived from newspaper reports, and that knowledge is doubtless also in the possession of the committee.

Senator ALLISON. Will you express any opinion with reference to the treatment of the Cheyenne prisoners at Camp Robinson previous to the outbreak there?

Secretary SCHURZ. I repeat that the Interior Department had no control over them at all at that time. I may say that my own opinion coincides with that expressed by General Sheridan as to the policy of returning the prisoners to the Indian Territory, when he says that "unless they are sent back the whole reservation system will receive a shock which will endanger its stability." It was, therefore, necessary that the Indians should be taken back to their reservation. As to other things which happened there, as is reported, I am of the opinion that in every respect it would have been better to treat the prisoners well than to treat them harshly. I think that freezing and starving them was not the way to reconcile them to their fate. If there were any turbulent and mischievous spirits among them, disposed to excite the rest to resistance, the way to avoid trouble would have been to separate the unruly persons from the rest, and to treat all as kindly as possibly. The removal in two separate parties could thus have been accomplished without difficulty. A measure like this, it seems to me, would have suggested itself at once.

There has been some unfavorable criticism in the newspapers on the delay in their removal. In reference to this, I desire to say that about the middle of November, long before the outbreak at Camp Robinson took place, the Commissioner of Indian Affairs recommended the removal of the prisoners to Fort Wallace, in Kansas, and that recommendation, with my approval, was forwarded shortly afterward to the War Department for the action of the military authorities, who had control of the captives. What the reasons were that caused the delay in the action of the military I do not know.

December 27, 1878, the Indian Office received information from the War Department that a number of the captive Cheyennes were destitute of clothing. Inquiry was made how many of them needed clothing, and orders were given that the clothing should be bought. This clothing could not be furnished at once, for the reason that after the annuity goods are delivered we cannot, on account of our appropriations, keep any stock of clothing on hand upon which to draw in emergencies. If the military authorities at Camp Robinson had applied for such clothing before, it would have been furnished sooner; but if there was any suffering on account of the want of it, it would undoubtedly have been practicable for them to furnish the Indians some spare Army blankets to provide for the immediate necessity. As the captive Cheyennes were under the exclusive control of the military, we had no information about their needs, unless it came through the military authorities themselves.

Senator OGLESBY. Are you satisfied from correspondence and information from the Commissioner of Indian Affairs and the Indian agent at the Cheyenne and Arapahoe Agency, where these Northern Cheyennes were located in the Indian Territory, that the supplies and rations they were entitled to under the treaty of 1868 were delivered to them?

Secretary SCHURZ. That is my opinion, based upon the detailed reports about that matter from Agent Miles, and the investigation made by the Commissioner of Indian Affairs. The official reports bearing upon that point are among the papers I have submitted.

FOOD SUPPLIES.

ESTIMATES AND RECEIPTS FOR 1878.*

Estimate for supplies required for the Cheyenne and Arapahoe Indians, at the Cheyenne and Arapahoe Agency, for the year ending June 30, 1878; 3,800 Indians.

Articles.		Quantity required.	Average cost in 1876.	Total cost.
Beef, gross (3 pounds per ration)	pounds	4,361,000	$1 86¾	$81,441 67½
Flour	do.	693,000	2 97	20,596 95
Bacon	do.	40,000	9 55	3,820 00
Lard	do.	10,000	12½	1,250 00
Coffee	do.	55,480	20	11,096 00
Sugar	do.	110,960	9 60	10,652 16
Tobacco	do.	5,000	55	2,750 00
Baking-powders	do.	3,000	30	900 00
Rice	do.	1,000	06	60 00
Soap	do.	10,000	04	400 00
Salt (2,400 pounds net)	barrels	30	2⅝	63 00
Total				113,029 75½

* Referred to in the testimony as Exhibit M.

Estimate for subsistence for 1,470 Northern Cheyennes for the fiscal year ending June 30, 1878. For 365 days—536,550 rations.

Articles.	Quantity per ration.	Total quantity.
		Pounds.
Beef, gross	4 pounds per ration	2,146,200
Bacon, net	10 pounds per 100 rations	33,655
Lard, net	5 pounds per 100 rations	10,000
Flour	½ pound per ration	2,062,275
Coffee	4 pounds per 100 rations	21,462
Sugar	8 pounds per 100 rations	42,924
Baking-powders	½ pound per 100 rations	2,682
Salt	1 pound per 100 rations	5,365
Soap	1 pound per 100 rations	5,365
Tobacco	½ pound per 100 rations	2,682

Amount of stores received on the foregoing estimate.

Articles.	Quantity per ration.	Total quantity.
Beef, gross	3 pounds per ration	4,413,578 pounds gross.
Flour, net	½ pound per 100 rations	695,625 pounds net.
Bacon, net	10 pounds per 100 rations	69,574 pounds net.
Lard, net	5 pounds per 100 rations	10,000 pounds net.
Coffee, net	4 pounds per 100 rations	34,962 pounds net.
Sugar, net	8 pounds per 100 rations	65,169 pounds net.
Baking-powders	½ pound per 100 rations	3,321 pounds net.
Salt	1 pound per 100 rations	12,040 pounds net.
Soap	1 pound per 100 rations	6,490 pounds net.
Tobacco	½ pound per 100 rations	4,500 pounds net.
Rice	Mission school	1,548 pounds net.

J. D. MILES, *Agent.*

AGENCY ESTIMATE FOR 1879.*

[Department circular calling for estimates.]

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, D. C., February 6, 1878.

SIR: You will please make hereon (and return to this office without delay) a careful and complete estimate of supplies required for your agency.

You will accompany your estimate with a report as to the kind, quality, and quantity of the supplies furnished during the present fiscal year, and as to whether they have been satisfactory to the Indians.

You will bear in mind that your estimate is for the whole year, and I shall expect it to be so complete that additional or supplementary estimates for purchases by contract or in open market will be entirely unnecessary, and the data that should be on file in your office will enable you to meet my expectations in this regard. Your will base your estimate upon your last appropriation.

E. A. HAYT,
Commissioner.

[Estimate of Agent Miles for supplies, in accordance with the foregoing circular.]

Estimate for supplies required for the Cheyenne and Arapahoe Indians, at the Cheyenne and Arapahoe Agency, for the fiscal year ending June 30, 1879.

[Cheyennes and Arapahoes (including 970 Northern Cheyennes), 5,004 persons, 365 days, or 1,826,460 rations.]

Articles.	Quantity furnished in 1877–'78.	Quantity required for 1878–'79.	Average cost in 1877.	Total cost.
	Pounds.	*Pounds.*		
Bacon (per 100)	75,000	100,000	$8 87½	$8,875 00
Beef (per 100), gross	4,400,000	7,305,840	2 00	146,116 80
Beans (per 100)	....	54,793	4 50	2,465 68
Baking-powder	3,529	9,132	27	246 56
Corn (per 100)	150,000	913,230	1 50	13,698 45
Coffee	34,962	73,058	20	14,611 60
Flour (per 100)	522,500	913,230	4 03	36,813 16
Hominy	....	2,500	04	100 00
Lard	10,000	20,000	12½	2,500 00
Rice	1,248	2,500	05¾	143 75
Tea	....	100	30	30 00
Tobacco	4,500	9,132	53	4,839 96
Salt, 65 bbls	12,040	18,264	1 60	104 00
Soap	8,600	18,264	05	913 20
Soda	....	9,132	04	365 28
Sugar	85,100	146,116	11⅜	16,620 66
Total cost of supplies				$248,444 18

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*Referred to in the testimony as Exhibit M.

RECEIPTS AND REQUIREMENTS FOR 1879.

Statement showing amounts of subsistence required for, purchased and contracted for, received, due, and on hand December 1, 1878, *and amounts required to supply Indians of Cheyenne and Arapahoe Agency, Indian Territory, during remainder of fiscal year ending June* 30, 1879; 5,004 *Indians*, 365 *days*, 1,826,460 *rations.*

	Bacon.	Baking-powder.	Beans.	Beef, gross, 4 pounds per ration.	Corn.	Coffee.	Flour.	Lard.	Salt.	Soap.	Sugar.	Tea.	Tobacco.	Soda.
Amounts estimated for and required	100,000	9,132	54,793	7,305,840	913,230	73,056	913,230	30,000	18,264	18,264	146,116	100	9,132	9,132
Amounts purchased and contracted	*40,000	1,501	19,870	†4,687.500	‡187,500	38,018	‡750,000	10,000	....	10,000	60,028	42	*	......
§Amounts received	39,695	1,501	19,656	2,378,545	....	38,015	177,896	10,000	....	10,000	60,028	42	4,472	......
On hand July 1, 1878	17,028	....	....	....	58,570	....	8,896	5,320	402	....	9,057	......	....	......
Received on previous years' purchases	....	....	....	....	....	15,002	41,587	....	....	....	32,945	......	....	......
Amount due on contracts and on hand Dec. 1, 1878	32,865	317	13,572	2,308,955	187,500	27,096	578,104	2,689	....	5,216	66,330	5	2,625	......
Amount required to July 1, 1879	55,892	5,589	33,534	3,353,532	58,999	44,714	558,922	27,946	11,178	11,178	89,418	75	5,589	......
Deficiency	23,027	5,272	19,962	‖1,044,577	371,432	17,618	....	25,257	11,178	5,962	23,088	70	2,964	......

*No invoices received.

†(C. Hood.) Includes 25 per cent. additional to amount of contract.

‡Includes 25 per cent. additional to amount of contract.

§Dates of receipts: Bacon, November 18, 1878; baking-powder, October 9, 1878; beans, September 17, 1878; beef, gross, from July 1, 1878; coffee, August 24, 1878; flour, from August 29, 1878; lard, August 14, 1878; soap, August 24, 1878; sugar, August 31, 1878; tea, September 12, 1878; tobacco, September 14, 1878.

‖The above deficiency of 1,044 577 pounds was supplied in May and June, 1879, by R. D. Hunter, under his contract for beef for the fiscal year ending June 30, 1880.

Cost: Bacon, estimated, $4,400.00; baking-powder, $352.81; beans, $546.42; beef, $126,328.12; corn and flour, $27,262.50; coffee and sugar, $12,069.94; lard and soap, $1,290.00; tea, $11.13; tobacco, estimated, $2,346.00; total $174,496.92.

CHEYENNE AND ARAPAHOE AGENCY, INDIAN TERRITORY, *November* 27, 1878.

BEEF ISSUED IN 1879.

*Statement of beef issued to Cheyenne, Arapahoe, and Northern Cheyenne Indians, at Cheyenne and Arapahoe Agency, Indian Territory, by John D. Miles, United States Indian Agent, during the year ending June 30, 1879:**

Contract of Calvin Hood, beef, gross pounds		4,784,078
Deficiency on same contract (May and June)		1,000,000
Total for year		5,784,078
Number of Indians present, from July 1 to December 31, 1878	5,004	
Number of Indians present from January 1 to June 30, 1879	5,223	
First six months, 185 days, at 3 pounds per ration, pounds	2,777,220	
Last six months, 180 days, at 3 pounds per ration	2,820,420	
Total amount due		5,597,640
Excess issued in lieu of other rations, short, and also to Indians laboring, as per circulars 10 and 13, series of 1878		186,438

FLOUR ISSUED IN 1879.

Statement of flour issued to Cheyenne, Arapahoe, and Northern Cheyenne Indians, at Cheyenne and Arapahoe Agency, Indian Territory, by John D. Miles, United States Indian Agent, during the year ending June 30, 1879.†

Contract of A. A. Newlin, flour, net, pounds	600,000
25 per cent. additional to above contract, pounds	150,000
Total for year	750,000

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* Referred to in testimony as Exhibit A.

† Referred to in testimony as Exhibit B.

WEEKLY ISSUES DURING 1879.*

Statement showing number and weekly issues of subsistence made to Northern Cheyennes for the fiscal year ending June 30, 1879.

Date.	No. of people.	No. of rations.	Bacon.	Baking-powder.	Beans.	Beef cattle.	Beef, gross.	Coffee.	Corn.	Flour.	Lard.	Salt.	Soap.	Sugar.	Tobacco.
			Lbs.	*Lbs.*	*Lbs.*	*No.*	*Lbs.*	*Lbs.*	*Lbs.*	*Lbs.*	*Lbs.*	*Lbs.*	*Lbs.*	*Lbs.*	*Lbs.*
1878.															
June 29	970	6,790	970	......	......	24	20,370	......	......	3,395	...	68	......	......	......
July 6	970	6,790	679	......	......	22	20,370	......	......	3,395	...	68	......	......	......
July 13	970	6,790	679	......	......	23	20,370	......	......	3,395	...	...	......	......	......
July 20	970	6,790	679	......	......	20	18,694	271	......	3,395	...	...	......	542	......
July 27	970	0,790	679	......	......	22	20,370	271	1,698	1,697	...	...	......	542	......
Aug. 3	970	6,790	400	......	......	23	20,370	271	3,394	......	146	...	......	......	......
Aug. 10	970	6,790	......	......	......	22	20,370	96	3,395	......	340	...	......	......	......
Aug. 17	970	6,790	......	......	......	30	25,618	......	490	......	...	...	......	......	......
Aug. 24	970	6,790	......	......	......	23	20,370	271	......	......	...	...	......	542	......
Aug. 31	970	6,790	......	......	......	28	23,765	271	......	......	...	...	68	542	......
Sept. 7	970	6,790	......	......	......	22	20,370	271	......	3,395	...	...	68	542	......
Sept. 14	667	4,669	......	......	......	17	14,007	186	......	2,335	...	...	47	378	23
Sept. 21	667	4,669	......	......	......	18	14,007	186	......	2,335	232	...	47	378	23
Sept. 28	667	4,669	......	......	......	17	14,007	186	......	2,335	232	...	47	378	23
Oct. 5	667	4,669	......	......	......	18	14,007	186	......	2,335	232	...	47	378	23
Oct. 12	667	4,669	......	......	......	16	14,007	186	......	2,385	232	...	47	378	23
Oct. 19	667	4,669	......	23	......	18	14,008	186	......	......	232	...	47	378	23
Oct. 26	683	4,781	......	24	......	18	14,343	191	......	2,390	...	...	48	382	24
Nov. 2	683	4,781	......	24	143	16	14,343	191	......	2,340	...	...	48	382	24
Nov. 9	683	4,781	......	24	143	18	14,343	191	......	2,390	...	...	48	382	24
Nov. 16	683	4,781	......	24	143	18	14,343	191	......	2,390	...	...	48	382	24
Nov. 23	683	4,781	478	24	143	18	14,343	191	......	1,790	...	...	48	382	24
Nov. 30	683	4,781	478	24	143	20	19,005	191	......	1,100	...	...	48	382	24
Dec. 7	683	4,781	478	24	143	18	14,343	191	......	4,781	...	...	48	382	24
Dec. 14	905	6,335	634	31	190	24	19,005	253	......	3,168	...	...	63	506	31
Dec. 21	905	6,335	634	...	190	24	19,005	253	......	3,168	...	...	63	506	31
Dec. 28	905	6,335	634	...	190	24	19,005	253	......	3,168	...	..	63	506	31
1879.															
Jan. 4	905	6,335	634	...	190	23	19,005	253	......	......	...	...	63	506	31
Jan. 11	905	6,335	634	...	190	24	19,005	253	......	......	...	...	63	506	31
Jan. 18	905	6,335	634	...	190	20	17,080	253	......	3,168	...	...	63	506	31
Jan. 25	905	6,335	634	...	190	24	19,006	253	......	3,168	...	...	63	506	31
Feb. 1	905	6,335	634	...	190	24	19,005	253	......	3,168	...	...	63	506	31
Feb. 8	905	6,335	......	...	190	24	19,005	253	......	3,168	317	...	63	506	31
Feb. 15	905	6,335	634	...	190	24	19,005	253	......	3,168	...	...	63	506	31
Feb. 22	905	6,335	......	...	190	24	19,005	253	......	3,168	...	...	63	506	31
Mar. 1	905	6,335	......	...	190	24	19,005	253	......	3,168	...	...	63	506	31
Mar. 8	905	6,335	......	...	......	25	19,005	252	......	3,168	...	...	63	506	31
Mar. 15	905	6,335	......	...	......	25	19,005	252	......	3,168	...	...	63	506	31
Mar. 22	905	6,335	......	...	......	25	19,005	252	......	3,168	...	...	...	506	31
Mar. 29	905	6,375	65	...	127	25	19,005	252	......	3,168	...	...	...	506	...
April 5	905	6,335	......	...	......	25	19,005	252	......	3,168	...	63	...	506	...
April 12	905	6,335	......	...	90	25	19,005	252	......	3,168	316	63	...	506	32
April 19	905	6,335	......	...	......	24	19,005	......	......	3,168	...	63	...	506	31
April 26	905	6,335	......	...	......	30	25,340	......	......	......	...	63	...	506	31
May 3	905	6,335	......	...	......	24	19,005	......	......	3,168	...	63	...	506	...
May 10	905	6,335	......	...	......	24	19,005	......	......	3,168	...	63	...	......	...
May 17	905	6,335	......	...	......	25	19,005	......	......	3,168	...	63	...	......	...
May 24	905	6,335	......	...	......	30	26,315	......	......	3,168	...	63	...	......	...
May 31	905	6,335	......	32	......	24	19,005	252	3,168	3,168	...	63	...	506	32
June 7	905	6,335	......	32	......	24	19,005	252	......	3,168	...	63	...	506	32
June 14	905	6,335	......	32	......	24	19,005	252	......	3,168	...	63	...	506	32
June 21	905	6,335	634	32	......	23	19,005	252	......	3,168	...	63	...	......	32
June 28	905	6,335	634	32	......	23	19,005	252	......	3,168	...	63	...	......	32
Total	45,698	319,886	12,550	352	3,336	1,201	989,986	10,083	12,146	129,996	873	955	1,636	19,730	1,[illegible]

* Referred to in the testimony as Exhibit L.

SUPPLIES FOR THREE YEARS ENDING WITH 1879.*

Statement of supplies required and received, with the deficiency for each, of the three years ending June 30, 1879, at the Cheyenne and Arapaho Agency, I. T.

Articles.	Fiscal year ending June 30, 1877; number of Indians, 3,946.			Fiscal year ending June 30, 1878; 4,065 Indians for 40 days, 5,002 Indians for 325 days.			Fiscal year ending June 30, 1879; number of Indians, 5,004.		
	Supply required for one year.	Purchased and contracted for.	Deficiency.	Supply required for one year.	Purchased and contracted for.	Deficiency.	Supply required for one year.	Purchased and contracted for.	Deficiency.
Beef	4,390,870	3,000,000	1,390,870	5,364,750	4,400,000	964,750	5,479,380	3,750,000	1,729,380
Flour	790,145	390,000	400,145	894,125	532,500	361,625	913,230	600,000	313,230
Corn	790,145	....	790,145	894,125	150,000	744,125	913,230	150,000	763,230
Sugar	115,922	44,019	71,903	143,060	85,169	47,891	146,116	80,028	66,088
Coffee	57,611	21,936	35,675	71,530	34,962	36,568	73,058	38,018	35,040
Beans	43,908	....	43,908	53,647	....	53,647	54,793	19,870	

*Referred to in the testimony as Exhibit O.

Allowance to each 100 rations: 300 pounds fresh beef, gross, 8 pounds sugar, 50 pounds flour, 50 pounds corn, 4 pounds coffee, 3 pounds beans. Received June 30, 1878, 10,236 pounds coffee, 27,331 pounds sugar, to apply on fiscal year ending June 30, 1879.

PURSUIT AND CAPTURE OF LITTLE WOLF'S BAND.

[Report of Lieutenant Clark.]

IN CAMP, FORT KEOGH, MONT.,
April 2, 1879.

SIR: I have the honor to submit the following report in regard to the operations of my command, which secured the capture of Little Wolf's band of Cheyennes, through their surrender on March 25, 1879. On February 22 I was ordered with Companies E and I, Second Cavalry, a detachment of one officer and 20 men and an artillery squad of one non-commissioned officer and two men, manning a Hotchkiss gun, and four Sioux scouts, to proceed to the vicinity of O'Fallon's Creek, there to establish camp and intercept the hostile Cheyennes. I had for transportation 10 wagons and 40 pack-mules; Sibley tents for the men when with the wagons, shelter-tents when I left them.

The inclosed map exhibits pretty accurately the marches, camps, and scouts made.

On my way down I established a picket of one non-commissioned officer and three men on Sheridan Buttes near mouth of Powder River, and after going into camp on Yellowstone near mouth of O'Fallon's Creek, I kept the country actively scouted near head of this creek and also over towards Cabin Creek. I arranged with ranchers and drivers on line of Bismarck and Keogh mail-route to give me promptly any information they might learn.

On February 27, the Yellowstone River suddenly rose some six feet and carried out the ice, though the thermometer had for a day or two previous indicated 33° below zero. This sudden flood compelled me to move to high ground on banks of O'Fallon's Creek.

On March 4, moved back to Powder River for the purpose of crossing rations and forage, the ice having broken in this stream on March 3d, leaving, however, a wide gorge of ice on the banks.

On March 7, two Sioux scouts, with Interpreter Fleury, who had been sent out on Bismarck mail-line from Fort Keogh, reported at my camp, and I detained them with me.

On March 8, I sent two Sioux scouts out to make an extended scout up Powder River to crossing of Black Hills and Keogh road, thence over to the Little Missouri on this road, then to go down this stream, and, if not finding trail before, to scout well towards Slim Buttes. On the 11th they returned to camp at 8 a. m., and reported as having seen some Indians hunting on foot about 50 miles up Powder River. I at once started out three scouts, including one of these who had brought in the report, to go and locate the village and indicate a point at about where I would meet them. Leaving tents standing with a small guard, taking ten days' rations on packs, and as much forage as possible; I left camp at 12 m., and marched out on Bismarck stage-line some 22 miles, which point I reached just at dark; from here I struck off for the pine bluffs and ridges near Powder River, thus crossing a high plateau of rolling prairie where my command could have been seen at a long distance if I had not crossed at night, and went into camp in a well-concealed position at 11 p. m. The night was intensely dark, and for a time rained heavily, making our progress slow and extremely difficult, and but for the Indian scouts we certainly could have done nothing.

The next day we advanced cautiously, keeping concealed well by winding amongst the bluffs, following ravines, &c., and at 4 p. m. met scouts I had sent out to locate the village, and they reported no signs, and I

THE CALVIN HOOD CONTRACT FOR BEEF.

[The essential portions of the Calvin Hood contract for supplying the Indian Bureau with beef are as follows:]

This agreement, made and entered into this 21st day of June, one thousand eight hundred and seventy-eight, by and between Wm. M. Leeds, Acting Commissioner of Indian Affairs, for and on behalf of the United States of America, party of the first part, and Calvin Hood, of Emporia, Kansas, party of the second part, for himself, his heirs, executors, administrators, and assigns, witnesseth:

That the said parties have covenanted and agreed, and by these presents do covenant and agree, to and with each other, as follows:

ARTICLE 1. That the said party of the second part, for himself, his heirs, executors, and administrators, hereby covenants and agrees with the said party of the first part to furnish and deliver, at the places herein designated, to such agent or agents of the United States as may be appointed to receive them, beef cattle, on the hoof, in the quantities and at the prices herein stated, and subject to such inspection by Army officers, or otherwise, as may be deemed necessary by the party of the first part, as follows:

Quantity.	Place of delivery.	Price per 100 pounds, gross weight, less 20 per ct. for cows.
Eight million eight hundred and five thousand (8,805,000) pounds gross.	Cheyenne & Arapahoe, Kiowa, Comanche, & Wichita, Osage, Pawnee, Ponca, Kaw, Quapaw, and Sac & Fox Agencies, Indian Territory.	$2.69½. Two dollars and sixty-nine & one-half cents per 100 lbs. gross.

ARTICLE 2. That the party of the first part, however, reserves the right to require a greater or less quantity, not exceeding twenty-five per cent. in either case, than that specified in said schedule, at the price or prices therein stated, of which increase or decrease in the quantity required reasonable notice shall be given to the party of the second part.

ARTICLE 3. That the party of the first part agrees to pay, or cause to be paid, to the said party of the second part, his heirs, executors, and administrators, for all the cattle received under this contract, at the rate or price designated in the above schedule, payment to be made on presentation, at the Office of Indian Affairs, of proper receipts, in duplicate, of the respective agents, and certificates of inspection, in duplicate, of inspecting officers when required by the party of the first part, after the same shall have been properly approved: *Provided*, That for all cows delivered under this contract a deduction of twenty (20) per centum on the price stipulated in article one (1) shall be made.

ARTICLE 4. That the party of the second part agrees to keep beef cattle, as described in article 5 of this contract, in the vicinity of the places of delivery in such quantities as to give assurance of his ability to make deliveries when required; and should he fail to collect such cattle at such points fast enough, or should he fail to deliver them as required, the party of the first part shall have the right to purchase, or cause to be purchased, beef cattle as he may elect, at the expense of the party of the second part.

ARTICLE 5. That it is further agreed by and between the parties hereto that the beef cattle furnished under this contract shall be good, healthy, merchantable steers and cows (no bulls or stags), not over seven years of age; that they shall be delivered on the government scales, upon which the weight shall be ascertained (steers and cows to be weighed separately, or if weighed together they shall be accepted at an equal average per head for both classes, and payments therefor made as described in article three (3) hereof), at the agencies aforesaid, at the times and in the quantities required by the respective Indian agent in charge, upon five days' notice by said Indian agent to the said party of the second part, or his authorized agents or representatives; that they shall be "lotted" without food or water during the twelve hours immediately preceding each and every delivery; that the average gross weight thereof at each delivery from May 1st to December 1st shall not be less than eight hundred and fifty (850) pounds per head, and from December 1st to May 1st not less than eight hundred (800) pounds per head; that all animals offered under this contract weighing less than seven hundred (700) pounds, gross, or being in such *condition* as to net less than *fifty* per centum of their gross weights in good, merchantable beef, from May 1st to December 1st, or less than *forty-five* per centum in such beef from December 1st to May 1st, shall be rejected (except as they may be received under the provisions of article 6 hereof) as inferior to the requirements of this article.

ARTICLE 6. That it is also further agreed by and between the parties hereto that for all the cattle offered under this contract which are not in conformity with the requirements of article 5, but which the respective Indian agents may be compelled by the necessities of the service to receive, there shall be a deduction of one (1) per centum in the price agreed upon in article 1 for each and every five (5) pounds, or fraction thereof, that said cattle so received shall fall short of the standard weights agreed upon in the preceding article. And if the respective Indian agents are compelled by the necessities of the service to receive cattle whose *condition* as to quality—although weighing the required average, as expressed in article 5 of this contract—renders them inferior to the requirements of said article 5, then the value of the cattle so received shall be determined by deducting from the price thereof, as agreed upon in article 1 of this contract, such a percentage as may be agreed upon by the agent and (if practicable) a military officer detailed for that purpose by the commander of the nearest military post, upon the written request of said agent to said commander; the said agent and the officer so detailed as aforesaid to appoint, in case of their disagreement as to the percentage of said deduction, a third and disinterested person to form with them a board of survey; the decision of a majority of such board so constituted as aforesaid to be final and binding on the parties hereto.

* * * * * * *

ARTICLE 8. That it is agreed, however, that before the United States shall be bound by this contract, the party of the second part shall furnish a joint and several bond in the sum of two hundred and forty thousand dollars, duly executed, with two or more good and sufficient sureties, said bond to be conditioned for the faithful performance of this contract in all its particulars by the said party of the second part.

* * * * * * *

ARTICLE 12. That this agreement is made subject to the approval of the Commissioner of Indian Affairs, the Board of Indian Commissioners, and the Secretary of the Interior.

In witness whereof, the undersigned have hereunto subscribed their names and affixed their seals the day and year first above written.

WM. M. LEEDS, [SEAL.]
Act'g Comm'r Indian Affairs,
for and on behalf of the United States.

Witness:
H. H. ARTHUR.
JOHN A. BECKWITH.

CALVIN HOOD. [SEAL.]

S. F. HINLAGE,
Emporia, Lyon Co., Kansas.
W. G. HALL,
Emporia, Lyon Co., Kansas.

BOARD OF INDIAN COMMISSIONERS,
Washington, July 16, 1878.

The within contract is approved.

WM. STICKNEY,
A. C. BARSTOW,
Ex. Com.

DEPARTMENT OF THE INTERIOR,
Washington, July 17, 1878.

The action of the executive committee is hereby sustained.

C. SCHURZ,
Secretary.

Cattle delivered by Calvin Hood under contract during fiscal year 1879.

	Steers.	Cows.	Weight.	Amount.
Cheyenne and Arapahoe	4,881	1,196	4,785,048	$111,506 72
Kiowa	2,676	668	2,715,520	69,944 39
Wichita	1,122	225	1,093,940	26,829 84
Total				208,280 95

Contract price $2.69½, less 20 per cent. for cows.	
Weight of steers, 6,927,167	$196,687 15
Weight of cows, 1,667,341	35,947 87
	232,635 02

This sum represents the contract value at contract rates of the beef delivered above, the difference between said amount and the sum actually paid being on account of penalties under the contract arising from furnishing cattle under the weights stipulated therein.

ESTIMATE FOR SUPPLIES FOR 1880.

Estimate for supplies required for the Cheyenne and Arapahoe Indians at the Cheyenne and Arapahoe Agency for the fiscal year ending June 30, 1880.

Quantity furnished in 1878-'79.	Quantity required for 1879-'80.	Articles.	Estimated cost.	Total cost.
Pounds.	*Pounds.*			
40,000	139,980	Bacon ....pounds..	$0 07	$13,578 68
4,784,078 1,000,000	5,819,400	Beef, gross ....do....	025	145,485 00
19,870	56,194	Beans ....do.....	02⅞	1,600 33
1,500	9,699	Baking-powder ....do.....	20⅜	1,979 25
150,000	969,900	Corn ....do.....	138	13,374 62
34,018	77,508	Coffee ....do.....	15⅝	12,086 76
600,000	969,900	Flour ....do.....	329	31,909 71
2,000	2,600	Hominy* ....do.....	02	52 00
10,000	4,000	Lard* ....do.....	08	320 00
	2,600	Rice* ....do.....	06	156 00
48	150	Tea* ....do.....	30	45 00
4,472	9,699	Tobacco ....do.....	53	5,140 47
	19,398	Salt ....do.....	01	193 98
10,000	19,328	Soap ....do.....	04⅛	579 91
60,028	155,184	Sugar ....do.....	07¾	12,026 76
		Total cost of supplies		238,061 40

* For school use exclusively.

The average number of Indians requiring daily rations, 5,300. Each ration will consist of 3 pounds beef, gross, ½ pound flour, ½ pound corn, 10 pounds bacon, per 100 rations; also, 3 pounds beans, ½ pound baking powder, 4 pounds coffee, 1 pound salt, 1 pound soap, ½ pound tobacco, and 8 pounds sugar, per 100 rations.

JOHN D. MILES, *Agent.*

ALLEGED INSUFFICIENCY OF FOOD SUPPLIES.

*Major Mizner's letter of May 30, 1877.**

HEADQUARTERS FORT RENO, IND. T., *May* 30, 1877.

SIR: I have the honor to submit, for the information and consideration of the department commander, a written statement, dated Cheyenne and Arapahoe Agency, Ind. T., May 25, 1877, showing the total amount of supplies furnished to that agency for the fiscal year ending June 30, 1877, with which this agent is expected to feed about four thousand Indians.

This information was furnished by the agent at my request, and is given over his signature. With it I inclose a tabular statement showing the exact number of Indians to be subsisted, as I learn from official reports. This tabular statement is arranged so as to show, first, the authorized daily ration, the amount of subsistence required per day, and the gross amount for the year, as also the amount of each article actually supplied by the Indian Department. From these papers it will be readily seen that the Indians of this agency have been a little more than half fed, and have received only about half the ration which should be provided for them.

Except for the fact that over half the Indians were able to subsist themselves for over five months while on a successful buffalo hunt, much suffering among them for want of food would have been inevitable. Had the buffalo not been found within the limits of the Territory, or had it been unsafe to permit so large a number of Indians to leave the agency, or had military reasons forbidden their going out, the consequence of their being half starved can well be imagined. It seems manifestly proper that a suitable and proper supply of subsistence should be furnished to feed these Indians, and a fair and reasonable daily allowance, sufficient to meet the wants of nature, supplied, so that resorting to buffalo hunting should not be made a necessity, as it cannot, under ordinary circumstances, be relied on. When the responsibility of keeping good order and preserving peace and quiet among these Indians devolves on the troops, it seems proper for the post-commander, adjoining this agency, to make known this extraordinary deficiency in the supplies furnished to feed these Indians, as, while the Indians may be expected and required to behave well when properly fed, they ought not to be expected to be very amiable or angelic when half starved and suffering for want of food.

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* Referred to in testimony as Exhibit E.

[Agent Miles's letter of May 25, 1877, referred to above.]

OFFICE UNITED STATES INDIAN AGENT,
CHEYENNE AND ARAPAHOE AGENCY, IND. T.,
May 25, 1877.

DEAR SIR: In compliance with your request of 23d instant, I furnish you the following "authorized Indian ration."

To each 100 rations.

Article.	Quantity.	Article.	Quantity.
Beef	300 pounds, gross.	Salt	1 pound.
Flour	50 pounds.	Tobacco	½ pound.
Coffee	4 pounds.	Soap	1 pound.
Sugar	8 pounds.	Baking powder	½ pound.
Bacon	10 pounds.		

Twenty-five pounds hard bread in lieu of flour; one pound mess beef in lieu of fresh beef; five pounds lard in lieu of bacon. Subject to the following modifications: That n case the supplies of any kind received are not sufficient to last during the fiscal year, hat a reduction of the foregoing ration must be made, so that it shall cover the entire year.

On February 2, 1877, instructions were received to issue 50 pounds bacon in lieu of the usual issue of fresh beef (300 pounds), "reducing the latter to the lowest possible limit," so that all the bacon then on hand might be issued by the 1st of May, 1877.

Statement of subsistence received during fiscal year, and the prices paid, not including freight

Quantity.	Article.	Price.	Freight.
37, 222 pounds	Bacon	$0 09.60	$2 50 per 100 pounds.
8, 395 pounds	Bacon	06¾	2 15 per 100 pounds.
20, 600 pounds	Baking powder	30	2 50 per 100 pounds.
21, 836 pounds	Coffee	20	2 50 per 100 pounds.
84, 950 pounds	Hard bread	04½	2 35 per 100 pounds.
20, 040 pounds	Lard	12½	2 50 per 100 pounds.
*175 barrels	Mess beef	8 50 per bbl.	8 50 per 100 pounds.
6, 540 pounds	Salt	01½ per lb.	2 15 per 100 pounds.
4, 090 pounds	Soap	04½ per lb.	2 25 per 100 pounds.
44, 019 pounds	Sugar	09.60 per lb.	2 50 per 100 pounds.
4, 000 pounds	Tobacco	55 per lb.	2 50 per 100 pounds.
2, 000, 000 pounds	Gross beef	1 64.8 per 100	Delivered.
200, 000 pounds	Flour	2 97 per 100	Delivered.

*Average weight of mess beef 342 pounds per bbl, gross.

Very respectfully, your obedient servant,

JNO. D. MILES,
United States Indian Agent.

Col. J. K. MIZNER,
Commanding Fort Reno, Indian T.

[Major Mizner's tabulated statement in continuation of his letter.]

Tribes.	Men.	Women.	Children.	Total.	Grand total.
Cheyennes	469	801	845	2,115	3,946
Arapahoes	388	529	867	1,784	
Apaches	8	13	26	47	
	865	1,343	1,738	3,946	

Authorized Indian ration to each 100 persons.

Beef	300 pounds, gross.
Flour	50 pounds.
Coffee	4 pounds.
Sugar	8 pounds.
Bacon	10 pounds.
Salt	1 pound.
Tobacco	½ pound.
Soap	1 pound.
Baking powder	½ pound.

Substitutes.

25 pounds hard bread in lieu of 50 pounds flour.
100 pounds mess beef in lieu of 300 pounds fresh beef.
5 pounds lard in lieu of 10 pounds bacon.

Amount for daily allowance.

3,946 rations:

	Pounds.
Beef	11,838
Flour	1,973
Coffee	157⅘
Sugar	315⅔
Bacon	394⅗
Salt	39½
Tobacco	19¾
Soap	39½
Baking powder	19¾

Amount required for one year.

Articles.	Required.	Furnished.
	Pounds.	*Pounds.*
Beef, gross	4,320,870	3,000,000
Flour	720,145	900,000
Coffee	57,611	21,936
Sugar	115,223	44,019
Bacon	143,980	45,657
Salt	14,383	8,849
Tobacco	7,196	4,000
Soap	14,383	4,080
Baking powder	7,196	20,000
Salt beef		35,000

	Pounds.
Lard	20,040
Hard bread	84,950
Deficiency in fresh beef	1,320,870
Deduct 35,000 pounds salt beef, equal to	105,000
Deficiency in meat ration	1,215,870

	Pounds.
Deficiency in flour	460,145
Deduct 84,950 pounds hard bread, equal to	169,900
Deficiency in bread ration	290,245
Deficiency in bacon	98,272
Deduct 29,040 pounds lard, equal to	40,080
Deficiency in bacon	58,192

Deficiency after deducting substitutes.

	Pounds.
Meat or beef, gross	1,215,870
Flour	290,245
Coffee	35,675
Sugar	71,203
Bacon	58,192
Salt	5,544
Tobacco	3,196
Soap	10,373

Estimated saving from the absence of 2,500 Indians, who received no rations while absent for five and a half months on a buffalo hunt.

	Pounds.	Still due or deficient, pounds.
Beef	1,237,500	
Flour	206,250	83,995
Coffee	16,500	19,174
Sugar	33,000	38,203
Salt	4,125	1,419
Soap	4,125	6,248
Tobacco	2,063	1,133

Ration of beef increased May 12 to 4 pounds gross.

	Pounds.
Additional beef required to include June 30	147,300
Add from deficiency	1,215,870
	1,363,170
Deduct saving	1,237,500
	125,670

Total deficiency after deducting saving of issue to 2,500 Indians for 165 days.

	Pounds.
Beef	125,670
Flour	83,995
Coffee	19,173
Sugar	38,203
Salt	1,419
Soap	6,248
Tobacco	1,133

Grand total deficiency had all of the Indians remained at the agency.

	Pounds.
Beef	3,363,170
Flour	290,245
Coffee	35,673
Sugar	71,203
Salt	5,544
Soap	10,373
Tobacco	3,196
Bacon	58,192

Cost of ration.

	Cents.
1 pound salt beef	13
3 pounds fresh beef	4 9-10

Very respectfully, your obedient servant,

J. K. MIZNER,
Major Fourth Cavalry, Commanding.

ASSISTANT ADJUTANT GENERAL,
Department of the Missouri,
Fort Leavenworth, Kans.

Colonel Mackenzie's correspondence concerning alleged insufficiency of food supplies.

HEADQUARTERS FOURTH UNITED STATES CAVALRY,
Fort Sill, Ind. T., September 4, 1877.

GENERAL: Lieutenant Lawton returned on Sunday evening from the Cheyenne Agency, and tells me that the Cheyennes are much dissatisfied on account of failure to supply them with sufficient proper food, and that the best-informed white men, Messrs. Clark and Rowland, are of the opinion that unless the Indians have justice in the matter of food from the government, there will be an outbreak within two years.

I have directed Lieutenant Lawton to fully investigate this subject on his return to Reno, and will then forward his report. I merely write now to give you the first information I have, and to state that it is my judgment that the garrison should be increased by four companies of infantry this fall, and by two additional companies of cavalry in the spring; and that, also, in the spring, two more companies of infantry should be sent to this post, which would make at least six companies of troops available here at any time. I write now in order that this may be timely notice for making estimates for the funds for barracks and quarters which this change would make necessary.

I wish to say that I am sure that the fault of any outbreak among these Indians will rest at the door of the government, and that it will only be brought on by starvation.

Very respectfully, your obedient servant,

R. S. MACKENZIE,
Colonel Fourth Cavalry, Commanding.

Brig. Gen. JOHN POPE,
Commanding Department of the Missouri, Fort Leavenworth, Kans.

FORT SILL, IND. T., *September* 13, 1877.

SIR: In compliance with letter of instructions dated Headquarters Fourth United States Cavalry, Fort Sill, Ind. T., September 4, 1877, I have the honor to report that the investigation therein directed was made by me, as far as circumstances and the time I was at Reno would permit, with the following result:

The Cheyenne Indians are camped a number of miles from Fort Reno, and consequently I was not able to visit them. I sent out for some of the headmen whom I know, but they did not come into the post in time for me to talk with them.

From the commanding officer of the post, Major Mizner, Fourth Cavalry, Mr. Rowland, the Cheyenne interpreter, and Mr. Clark, the post interpreter, I ascertained that full rations are not, and have not been, issued for some time; no flour nor corn, nor anything in lieu of the same, has been issued for a long time, except two partial issues, to the Cheyennes.

Coffee is issued at about three pounds to the one hundred rations, and sugar at about six.

I was informed that a large lot of beef had been received at eight hundred and fifty pounds, gross, per head, and that, since, it had greatly fallen off in weight, and that it was issued at the weight it was originally received.

Mr. Rowland states that all the Cheyennes are dissatisfied, and think they are not receiving what was promised them; that they would be satisfied if they received what the treaty allows them. He cited one case where the coffee issued one family for seven days was used in two meals; that his family cannot live on his supplies furnished; and that he purchases nearly all they get. He thinks the Indians are inclined and wish to do right, as far as they know, but that they have good reason to complain; and that he has no doubt, unless they are fed, some of them will leave, which he thinks will cause trouble.

Mr. Rowland's statements are corroborated by Mr. Clark, who thinks some of the young men will leave the agency, and that if they do they will steal horses, &c., and that an attempt to punish them will cause serious trouble with the balance.

Owing to my limited time, I had no opportunity of consulting Mr. Miles, the agent, and this report is therefore based upon current reports and the statements of the parties mentioned.

I would state that since leaving Reno I have seen Standing Elk and Living Bear, principal Cheyenne chiefs, and they not only corroborated the above statements, but assert that their people are not getting supplies enough to prevent starvation; that many of their women and children are sick from want of food. A few articles I saw given them they would not use themselves, but said they would take them to their children, who were crying for food.

I am, sir, very respectfully, your obedient servant,

H. W. LAWTON,
First Lieutenant, R. Q. M., Fourth Cavalry.

To the ADJUTANT FOURTH UNITED STATES CAVALRY,
Headquarters Fourth United States Cavalry, Fort Sill, Ind. T.

HEADQUARTERS FOURTH UNITED STATES CAVALRY,
Fort Sill, Ind. T., September 15, 1877.

SIR: I have the honor to bring before the assistant adjutant-general of the department the appended report of Lieut. H. W. Lawton, made in compliance with directions from myself, and also the statements of there principal Cheyennes made to me.

The following is the article of the treaty with these Indians which bears on the subject of which they complain:

> ART. 5. In consideration of the foregoing cession of territory and rights, and upon full compliance with each and every obligation assumed by the said Indians, the United States does agree to provide all necessary aid to assist the said Indians in the work of civilization; to furnish to them schools and instruction in mechanical and agricultural arts, as provided for by the treaty of 1868. Also to provide the said In-

> dians with subsistence, consisting of a ration for each individual of a pound and a half of beef (or, in lieu thereof, one-half pound of bacon), one-half pound of flour, and one-half pound of corn; and for every one hundred rations, four pounds of coffee, eight pounds of sugar, and three pounds of beans; or, in lieu of said articles, the equivalent thereof, in the discretion of the Commissioner of Indian Affairs. Such rations, or so much thereof as may be necessary, shall be continued until the Indians are able to support themselves. Rations shall, in all cases, be issued to the head of each separate family; and whenever schools shall have been provided by the government for said Indians, no rations shall be issued for children between the ages of six and fourteen years (the sick and infirm excepted), unless such children shall regularly attend school. Whenever the said Indians shall be located upon lands which are suitable for cultivation, rations shall be issued only to the persons and families of those persons who labor (the aged, sick, and infirm excepted). And as an incentive to industrious habits, the Commissioner of Indian Affairs may provide that such persons be furnished in payment for their labor such other necessary articles as are requisite for civilized life. The government will aid said Indians as far as possible in finding a market for their surplus productions and in finding employment and will purchase such surplus as far as may be required for supplying food to those Indians, parties to this agreement, who are unable to sustain themselves; and will also employ Indians, so far as practicable, in the performance of government work upon their reservations.

The ration as given is ample, and the provisions of the entire agreement are, in my judgment, wise. Due notice was given of the probable arrival of these Indians in ample time to provide against any failure to supply.

This is the only band at the Red Cloud or Spotted Tail Agencies who have up to this time complied fully with this treaty; and I may be pardoned in saying that my position is a very distressing one, in this: that I am expected to see that Indians behave properly whom the government is starving—and not only that, but starving in flagrant violation of agreement. One principal reason for my great desire to avoid returning to Fort Sill was my dread lest I should be expected to control Indians almost forced into war by the action or non-action of other authorities.

The Indians whose statements are appended are all men of excellent character, and are telling, I am sure, the precise truth. It would perhaps be well to notify Colonel Manypenny, Bishop Whipple, and the other gentlemen who signed the agreement with these Indians, or such of them as the department commander might select, that the terms of this treaty were not being carried out by the government, as they may have influence to secure such result.

The case of the Southern Cheyennes and Arapahoes has been long very bad, and it differs now from that of the Northern band in nothing, so far as the moral wrong of the government is concerned, except that the positive disregard of a direct agreement is perhaps not so conspicuous.

In this connection I may say that the Indians near Sill, the Kiowas and Comanches, were without flour for more than six weeks; but that extra issues of beef were made, which prevented any serious suffering.

I also append a copy of a letter addressed to Major Mizner commanding Fort Reno, explaining the importance of avoiding, if possible, any attempt to control by force these Indians till steps were taken for their relief.

Very respectfully, your obedient servant,

R. S. MACKENZIE,
Colonel Fourth Cavalry, Commanding.

The ASSISTANT ADJUTANT-GENERAL,
DEPARTMENT OF THE MISSOURI,
Fort Leavenworth, Kans.

HEADQUARTERS FOURTH U. S. CAVALRY,
Fort Sill, I. T., September 15, 1877.

SIR: I am convinced that the Indians at the Cheyenne and Arapahoe Agency are being treated with great injustice in the matter of food, from the statements made to me by Lieutenant Lawton, as well as by the Cheyennes. If Mr. Miles has not the flour on hand, all suffering would be avoided by giving Indians extra beef until arrival of stores. I invite your attention to the fifth article of the treaty for the removal of the Northern Indians, given in appendix of report of Secretary of the Interior. You should report fully any violation thereof; and do not, except in a very extreme case, attempt to exercise any military control over the Indians near Reno till they are justly fed. That is, if Indians from hunger run off contrary to the wishes of the agent to get buffalo, do not attempt to cause their return, or the troops will be placed in the position of assisting in a great wrong. I do not know that any such collision will arise, but it might, and you must use great judgment. You should inform the agent fully of this.

Very respectfully, your obedient servant,

R. S. MACKENZIE,
Colonel Fourth Cavalry, Commanding.

MAJOR J. K. MIZNER,
Fourth Cavalry, Commanding Fort Reno, I. T.

Report of an inspection of the condition of the Cheyenne Indians at the Cheyenne and Arapahoe Agency, made in compliance with the following order:

[Special Orders No. 190.]

HEADQUARTERS FORT SILL, I. T.,
September 29, 1877.

First Lieut. H. W. Lawton, R. Q. M., Fourth Cavalry, will at once proceed to Fort Reno, I. T., to inspect the condition of the Cheyenne Indians, at the Cheyenne and Arapahoe Agency, and will make a report of the inspection to these headquarters.

By order of Col. R. S. Mackenzie.

JOSEPH H. DORST,
Second Lieutenant Fourth United States Cavalry, Post Adjutant.

Proceeding to Fort Reno, I. T., immediately upon receipt of the foregoing order, I arrived there on the evening of September 30, and at once reported to the commanding officer, informing him of the object of my visit, and in conversation with him in reference to the same received from him the following general information:

He, the commanding officer, had recently visited the agency, with a view of ascertaining the facts with reference to the rumored discontent among the Northern Cheyennes, the alleged want of sufficient food, and the probability of trouble with them on these grounds. From his observations he was satisfied that the agent was doing all in his power for the Indians, and was giving them all the rations they were entitled to of the articles shipped him by the Interior Department for issue. He was satisfied, however, that these amounts were entirely insufficient and inadequate to their wants. He had heard of no trouble and anticipated none. No complaints had been made directly to him, or to the agent, that he knew of. He was aware that there was much sickness, and there had been some deaths, and also there was rumored discontent on account of the insufficiency of the ration.

On the morning of the 1st of October I took with me Mr. Clarke, the post interpreter, and went to the camp of Mr. Rowland, the interpreter for the Northern Cheyennes, and ascertained that the Cheyenne village was located some twelve miles from the agency, up the river. I sent word to the village that I wished to see the head men and talk with them, and then went to the agency. Mr. Miles, the agent, was absent, and the business was in charge of the clerk, Mr. Miles, brother of the agent. Presenting my order and informing him of the object of my visit, he placed at my disposal everything necessary, and offered every assistance in his power to further my object. Issues were then being made to the Arapahoes. I remained some time in the issuing room, witnessing the conducting of the issues, which consisted of flour, sugar, coffee, and tobacco. Beef was issued later, from the pens. Sugar and coffee were weighed, and with every appearance of fairness and good weight; but flour was issued by guess, and as it was not probable that more than the allowance would at any time be given, there was every reason to suppose that a guess could not always be accurate, and the amounts would fall short; and as the amount to which each individual was entitled was small, a slight discrepancy, while not affecting much the bulk of the issue, would make a great difference to an individual. The sugar was of a very inferior quality, dark and very wet. This is the condition in which it was received by the agent, as I examined several packages and found them all alike. It was an article that would not have been received and issued to troops without the action of a board of survey. I held conversations with several Indians, and they informed me that the rations were much better now than they had been some time previous, and that they were getting more rations that day than any time before. The only general and serious complaint was about the beef, which they stated was poor and did not hold out.

After the issue of the small rations I visited the beef pen, and witnessed the issue of beef. That which was on hand and issued was of an inferior quality. It had been received some time previous. I did not see any of it weighed, as it is the custom to weigh the beef at the time it is received, and then issue it out at the average it weighed at time of receipt. The beef I saw was of very poor quality, and would not have been considered merchantable for any use. It was irregular in size and age, and rough and poor, and there were some bulls among them. The average, I was informed, at what they were being issued, was seven hundred and fifty pounds. I am satisfied the average would fall short of that from fifty to seventy-five pounds per head. I arrived at this conclusion from my own judgment, and that of several other persons with me of experience in such matters. This issue was made to small bands, sufficiently large to take a whole beef or more; but as the beef was not weighed out a band was just as likely to get a small beef weighing one hundred pounds or more less than they were entitled to as an average, and another band a large beef, weighing more than they should receive; and unless a band contained an even number of members, entitling them to an even number of beeves, at the average, no allowance was made for the difference in numbers—that is, a band of thirty-three got one beef and one of fifty got but one beef. The smallest band I saw a whole beef issued to numbered twenty-five, and a band of fifty-six received two beeves; but any intermediate number received but one head. I consider this irregular, and think it should be corrected. More will be said on this subject further on, when the issue to the Cheyennes is considered.

I talked with Mr. Miles often during the day with reference to the

Cheyennes. He knew of no serious trouble, and anticipated none. He had heard before the agent left that the Cheyennes had killed one cow belonging to other Indians, but as nothing had been said about it since he thought it had been settled at the time. He was satisfied that the Indians did not receive enough to eat from the issues, but he could do no better under his instructions. He stated that if he complied strictly with their regulations they would not be issuing half what they were, as the supplies furnished for this year would not warrant it. He stated that representations had been frequently made to the Commissioner, but without avail. He was very short-handed and found it almost impossible to get along.

I talked with the Indian traders with reference to the robe trade; found little being done. Both traders had sold large quantities of flour, sugar, coffee, and bacon to Indians, during the past season, for tanning and for robes; and they stated it as their belief that if it had not been for them some of the Indians would have starved. The traders buy skins from the hunters, and have them tanned by Indians, and buy from the Indians such robes as they have tanned themselves. Four checks is the price for tanning a robe, and ten checks the price of a first-quality robe. The checks have no defined value. They are sold to outsiders at sixty cents apiece. An Indian gets four yards of calico or two pounds of sugar for a check, making the check's valve to him about forty cents. None of the Northern Cheyennes have tanned or sold any robes. They were not at the agency when most of the tanning was done, and have no robes of their own.

It is presumed important and proper that the Indian should support himself by his own labor, if he can; but it should be looked to that the Indian gets a fair and just recompense, in the first place, for whatever labor he performs. Besides, I do not think this is the kind of labor the government intends the Indian to support himself by, and it is very unsafe to depend upon it as a means to that purpose, as it is fluctuant and liable to cease at any time.

The issues to the Cheyennes were to be made the next day; and in order to be present during the whole time, I repaired early to the agency, accompanied with Mr. Clarke, post interpreter, and Mr. Rowland, Cheyenne interpreter. Issues to the Cheyennes were in progress, consisting of the same articles, and distributed in the same manner, as to the Arapahoes the day previous. Mr. Miles and the issuing clerk complained bitterly of short handedness and overwork. I observed the issues carefully, but could not be critical. All seemed to be correct and proper, except the manner of issuing flour. In conversation with Indians, they stated they were getting better and more rations that day than previously; and Interpreters Rowland and Clarke both told me that Indians said the issues were larger when I was looking on than when I was not; that they got larger quantities of the articles issued; and that the women were crowding and anxious to get into the building to draw while I was there. I then left the building, and had Mr. Rowland go to the rear of the building and collect some parties as they came out with their rations, and bring them over to the trader's store, when I weighed their rations in the presence of Messrs. Clarke and Rowland, taking the number of people for whom they had drawn from their tickets at the same time, with the following results:

"Plenty Bear's" ticket: 5 people, 7 days, 35 rations. Sugar and coffee, 3 pounds; deficient, 1⅜ pounds. Flour, 16 pounds; deficient 1½ pounds.

"Goes in the Willow" ticket: 2 people, 7 days, 14 rations. Sugar and coffee, 1 pound; deficient, ¾ pound. Flour, 5 pounds; deficient, 2 pounds.

"Walking Woman": 4 people, 7 days, 28 rations. Sugar and coffee, 2 pounds; deficient, 1½ pounds. Flour, 8½ pounds; deficient, 5½ pounds.

"Owl" and "Red Neck," drawn together: 9 people, 7 days, 63 rations. Sugar and coffee, 6½ pounds; deficiency, 1⅞ pounds. Flour, 28 pounds; deficiency, 3½ pounds.

"Red Bird," 5 people, 7 days, 35 rations. Sugar and coffee, 3 pounds; deficient, 1⅝ pounds. Flour, 16 pounds; deficient, 1½ pounds.

"Big Head," 9 people, 7 days, 63 rations. Sugar and coffee, 5 pounds; deficient, 2⅞ pounds. Flour, 16 pounds; deficient, 15 pounds.

I was afterwards shown "Living Bear's" rations at his lodge, which I measured and found to consist of about 2½ pounds of coffee and 20 pounds of flour. He assured me none had been used since they had been drawn, and that they were for 13 people 7 days. I did not see his ticket, and cannot vouch for the correctness of his statement. I afterwards tested the scales on which sugar and coffee were weighed in the Indian issuing-room, and found them accurate.

The amounts deficient in each case are but small, it is true; but when it is considered how small the amount of one ration is, it will be seen that the deficiency covers several rations, and fully bears the Indian out in his complaint that the rations do not last the time for which they are given, even when the full amount is supposed to be issued.

Being at this time informed that the Indians had assembled, as I had requested, to talk, I went to them and found about a hundred and fifty Cheyennes—all the chiefs and headmen—together; and after informing them of the object of my visit, and what I wished, statements were made by a number of the headmen, of which the following is the substance:

Dull Knife, an old chief and influential Indian, stated that, from the time they left Red Cloud Agency to the present time, they had followed the same road they had started on; that they had a pretty hard time coming down, many being on foot; that they all remembered the promises that had been made them; that they were strangers in the country, and had not been there long enough to know what they wanted, but had left that all to the agent; that they had not come on a visit, but to live and stay with their friends, the Southern Cheyennes; that to they came down on the word of General Crook; that they wished get settled down where they were to live permanently; that they would send their children to school; that they did not wish to commence until they knew what they were going to do; and that when they did get so settled and their children to school, they would begin to take an interest in acquiring the knowledge of the white man.

Wild Hog, a headman, after a short consultation, was selected to speak for the others, and said in substance: "Since we have been at this agency we have drawn from the agent no corn, hard bread, hominy, rice, beans, or salt; yeast powder and soap, only once in a while. The sugar and coffee we get only lasts about three days, and is issued for seven; and beef about the same. The flour has been very bad, very black, and we cannot make it rise. I have eight people in my family, and have received about so much flour at an issue (representing about fifteen or twenty pounds); and four issues out of nine we have received no flour at all; and about so much sugar and so much coffee (representing what he could hold in one hand, of each), and it is all used up in three cookings. Bacon has been issued five times, and I got for my family three pounds. Twenty-five beeves have been issued for all the Northern Cheyennes, and one time twenty-seven; as a general thing they were poor, small beeves. A good many were lame, and looked as though they had been starved to death. One time all our beeves looked like calves; some were very lame and looked like they would die. They were different from the cattle we got coming down. From Red Cloud Agency to this agency we got plenty to eat—beef and everything else; but since we got here we have been starving, part of the time."

Many Bears, Old Crow, Turkey Legs, and others, then stated that what had been told me by Wild Hog was true; and that they had thrown away all their bad habits, and were going to live like white men.

Turkey Legs said he wished me to intercede with General Mackenzie for them to go buffalo hunting as soon as possible. They wished to go very much. He said that they had lost ten of their people by death since their arrival; that he could not tell how many were sick, but there was at least one to every lodge; that I could tell better when I went to their camp; and that the doctor had not visited their camp to see any of them.

Standing Elk, the head chief, said that at Red Cloud Agency they got pretty fair rations, and all the way down; that none were sick and none died on the road down; that everybody was happy and in good spirits there; that the rations were good and plenty; that they thought when they arrived here they would get the same, but found it was not so; that the beef and other rations here have been very poor, and there has not been enough of them, and that had made them sick. He thought the poor, bad beef had made them sick. He thinks a great deal of the sickness is due to the want of sufficient wholesome food.

Leaving the council I went directly to the beef pen. Mr. Miles, the clerk, and most of the Indians were already there. Mr. Miles told me he had just received an order to increase the issue of beef to 4 lbs., and that this issue would be made upon that basis. He also stated that the cattle on hand were the last of the old contract, and that there were not enough to make the issue; but that a lot of the new contract was coming, near by, and would be received and issued from. Presently the beef arrived—a fair lot of cattle—and was weighed in, the average weight being 933 lbs. A deduction of twenty-five pounds per head was made as the probable amount of shrinkage had they been kept penned twelve hours, as the contract requires, before being received—they being received at once, as they were required for issue. This deduction, I observed, was made on paper only, the beef being issued to the Indians at the actual weight at the time. Thus, on each head of the new beef issued, the Indian was charged twenty-five pounds more beef than the agent receipted for. These beeves, as they were received, were turned into a pen with the old stock, and mixed with them, and the weight of the old stock estimated at seven hundred and fifty pounds per head added, and an average struck which amounted to 884 lbs., at which the lot was issued. At this rate the issue would be about one beef to thirty-one people.

The issue was conducted in the following manner: The beef in a small pen, the average weight 884 lbs.; the issue to be one beef to thirty-one people. A man on horseback in the pen with the beef; the Indians arranged in a line outside near the gate; and the acting agent with an interpreter, sitting in a conspicuous place, having a list on which were the names of the headmen of the bands, with the number of people composing the band. The name of the first man on the list is called by the interpreter, and he, with his followers, places himself near the gate. At the same time the number of beeves to be issued is called, and the man in the pen cuts them out of the lot, and drives them out of the gate, when they are taken possession of by the Indians for whom they are intended. I observed this issue with a great deal of care, noting the number of men in each band, and the number and size of the beeves given them, and found it to be, in my opinion, decidedly unsatisfactory and irregular. There were but few bands with a smaller number in them than thirty-one; none less than twenty-five, while many ranged between thirty-six and fifty-six. One band of fifty-four which I will take as an example, received one beef—as the number was not large enough to get two. In cutting out, a small beef was the one that fell to the lot of this band. Allowing it to weigh seven hundred and fifty pounds, at which weight it was put into the average, actually just twenty-seven people received a ration of beef each (just one half of the whole number), and twenty-seven people (or the other half), were absolutely without meat for seven days.

Bands fortunate enough to be under thirty-one, or some number a little under its multiple, fared better, as the amounts they received would be at least sufficient to make up any deficiency in weight, so that they would get their full allowance. This unfairness was called to the attention of Mr. Miles, and it was urged in reply that it was the only practical way in which beef could be issued; that, ordinarily, their man who cut the beef out of the pen, being one of experience, could judge very closely to the weight of a beef, and by issuing large beeves to large bands, and small beeves to small bands, could do justice to all; and that, at any rate, as all Indians divided their stores, as long as they lasted, among each other, they would all receive an equal share of the issues. In all cases of issues, when the quantity is defined and can be ascertained accurately, it should be done. Under any circumstances whatever the beef should be weighed out to the Indians, not only to secure an equal distribution, but to assure the Indians they are receiving the amount with which they are charged. A large amount of beef received to-day may deteriorate materially in a week or ten days, or a month; or it may gain. It is decidedly unfair to the Indian that he should be required to stand the loss in one case, and the government should have the benefit in the other. It was urged by Mr. Miles that to weigh the beef out would take too much time. This is a weak, ungenerous excuse, and should be no object when a disregard for it works such gross injustice. Besides, with a properly constructed corral, which they have not, the weighing could be accomplished in less time than is now occupied in the present mode of issuing. The corral now used is entirely inadequate, badly arranged, and entirely unfit to hold stock. The mud was so deep that the cattle stood to their bellies in it, and a carcass of one trampled in the mud gave evidence that they even died from miring. Beef penned here each night could not long remain fit for issue. A debit and credit account with each Indian was suggested, but was not considered practicable on account of the bands changing so often. Then the only remedy would be to weigh the beef out, and have a number killed beforehand, and issue to each band the difference between the live beef given and the amount due, in butchered beef. At any rate, some means to correct this evil should be resorted to, as I believe that from the manner of issuing, and the gross injustice done to some of the bands, arises the greater part of the complaint and discontent with regard to the issue of beef.

At this issue, and heretofore, the Northern Cheyennes had issued to them the beef in bulk; that is, the whole number of beeves they were entitled to were turned over to the headmen at once. The objection to this is, that the beef goes into the possession of the Indian soldiers, who conduct the division, and the weaker and less influential families, widows, and old people, get little or nothing. Many complaints of this nature were made to me. On speaking to Mr. Miles about it, he informed me that hereafter issues to these Indians would be made the same as to the others.

After the receipt of the small number of beeves from the new contractor, to enable the acting agent to complete the issue, another lot of beef was penned, and weighed the next morning 843 pounds, or ninety pounds less than the average of the lot from the same herd weighed the evening before.

After witnessing the completion of the issues, which did not occur until the following morning, I visited the camp of the Cheyennes, accompanied by the post surgeon and both the interpreters, some twelve miles from the agency, on the river. The village was located on high ground, open to the wind and sun, and is as healthy a place as could be found in the vicinity, convenient to wood and water. Preparations were being made for the celebration of a rite for the healing of the sick, which enabled me to see most of them. The number was large, and there were fully as many as had been represented. I was acquainted with a number, and talked to them. They were willing to take the white man's medicine, and anxious to get it; they complained that they were not visited by the doctor; that when they wished to get medicine they were compelled to ride all the way to the agency, and then got only one dose of medicine and had to go back for more; and that most of them were unable to go so far. Generally those who were well were cheerful and in good spirits; as they had just drawn rations and had plenty of beef, they were probably unusually happy.

In this connection I will state that, in conversation with the agency physician at his office, he informed me that his visits to the camp have not been frequent on account of time; that he is occupied the whole day at his office. His report for September shows as treated during the month, 1,084 males and 983 females—a total of 2,067—for various diseases, mostly malarial. Among these are not included many sick at the further camps, and none, or few, of the Northern Cheyennes, of whom at least one hundred and fifty were sick at the time of my visit. The following remark appears in said report:

> An epidemic of malaria fever, of unusual severity, is prevailing among the Indians. The mortality is not great, owing to the readiness of the Indians to seek medical aid. My official business is large, and I find it impossible to visit the camps regularly, without assistance.

There are no medicines at all for the Northern Cheyennes, and the whole stock is deficient and inadequate, especially quinia, fluid preparations, tincture of opium, compound cathartic pills or the ingredients, bottles, corks, and iodides. All of the above are imperatively necessary. Fluid extracts, on the doctor's last estimate, were ignored entirely, and are much needed. Estimate was made for sixty ounces of quinia sulphur, and instead sixty ounces of sulphate cinchonoide, a much inferior article, was supplied. Quinia would have been more economical. Of tincture of opium, an article much needed, there is on hand but four ounces of the whole year's supply furnished; and the whole supply of medicines is generally insufficient. The doctor states that fifty patients are as much as one man can attend to and do justice, and that he is unable to visit the camps oftener than once in two weeks. Assistance and medicines should be supplied at once. The acting agent states that representations of the foregoing facts have been made to the department, but without effect.

The books of the agency show issues to have been made to the Nrothern Cheyennes since their arrival, as follows:

First issue, 10 pounds bacon to 100 rations; ½ pound tobacco to 100 rations.

First issue, 4 pounds coffee to 100 rations; 50 pounds flour to 100 rations.

First issue, ½ pound yeast powder to 100 rations; 300 pounds beef, gross, to 100 rations; 8 pounds of sugar to 100 rations.

The second, third, and fourth issues were the same as the first. The fifth issue was the same as first, except flour. The sixth the same as the first, except bacon. The seventh, eighth, and ninth the same as the sixth. On the eighth issue two heads of beef extra, and on the ninth six heads of beef extra. This does not agree with the statements of the Indians as to what they have received. I am inclined to believe the records correct so far as the articles go, but not as to quantities.

Since July 1, 1877, the following articles and amounts have been sold by the Indian traders to the Indians at that agency: 34,000 pounds of flour; 1,800 pounds of sugar; 6,000 pounds of coffee, and about 25,000 pounds of bacon. These amounts were given me by the traders, and are taken from their books. One of the traders has been out of bacon much of the time. These sales are much smaller than for the three months previous.

At the Sill Agency the sales of similar articles for the same time to the Comanche and Kiowa Indians were: No flour, no bacon; 2,000 pounds sugar, and 500 pounds coffee.

According to instructions from the department, the ration at the Cheyene and Arapahoe Agency consists of—

	Pounds.
Beef, gross	300
Flour	*50
Beans	3
Pork	10
Corn	*50
Coffee	4
Sugar	8
Salt	1
Soap	1
Tobacco	½

The following is a copy of the list furnished by the agent at Red Cloud Agency to the officer conducting the Northern Cheyennes to the Indian Territory, to govern his issues on the road to these Indians; and the amounts specified were issued, and fully supplied to the Indians with all they required:

To 100 *rations.*

	Pounds.
Beef, gross	300
Flour	*50
Corn	*50
Coffee	4
Sugar	8
Rice	5
Beans	3
Bacon	10
Salt	1
Soap	1
Tobacco	½
Soda or baking powder	¼

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* Hard bread, 25 pounds, in lieu of either flour or corn; 40 pounds in lieu of both.

* Hard bread in lieu of flour or corn, 25 pounds; in lieu of both, 40 pounds. If no corn issued, 100 pounds of flour.

It will be seen by comparing the authorized ration at the Cheyenne Agency with the ration as issued, that the issue is but about two-thirds of what is allowed, and about one-half of the allowance at Red Cloud Agency, or of what was issued to the Cheyennes on the road down.

There are at the Cheyenne Agency 5,002 Indians, requiring for the year the following amount of rations, a portion only of which have been supplied—whereby the agent, if his instructions were followed literally, could only issue in the same proportion to the ration allowed as the amount supplied for the year is to the amount which would constitute the whole ration for the year:

Articles.	Required.	Shipped.	Deficit.
	Pounds.	*Pounds.*	*Pounds.*
Fresh beef, gross	7,300,000	No stated amount.	....
Flour	912,500	635,000	77,500
Corn	912,500	150,000	730,100
Hard bread	456,250	16,200	365,050
Sugar	146,000	68,317	77,683
Coffee	73,000	38,300	34,700
Soap	18,250	....	18,250
Tobacco	9,125	2,000	7,125
Rice	98,250	....	98,250
Beans	54,750	....	54,750
Bacon	182,500	14,479	168,021
Salt	18,250	12,000	6,250
Yeast powder	9,125	4,140	4,985

In conclusion, I would state it as my opinion, based upon the observations made at this inspection, that the authorized ration is sufficient for the wants of the Indian under all circumstances, and that, if he receives it, it will prevent complaints or discontent on that account; that at this agency, where the inspection took place, not more than two-thirds of the authorized rations is assumed to be issued, and heretofore not that much; that the issues are irregular, and that the amounts reported are not actually issued; that there is an unusual amount of sickness, which is aggravated by a lack of sufficient wholesome food, and want of proper or sufficient professional labor and medicines; that the Indians themselves have a strong desire to do well and act according to their agreements, and are anxious to settle down and receive the assistance promised, in opening farms, building houses, &c.; that there is a strong feeling among them of injury and injustice; that there are few who are evil-disposed or troublesome; and that no serious trouble need be anticipated unless the Indians are driven to it as the alternation of starvation.

H. W. LAWTON,
First Lieutenant Fourth United States Cavalry.

[First indorsement.]

HEADQUARTERS FORT SILL, I. T.,
October 10, 1877.

Respectfully forwarded to the Assistant Adjutant-General, Department of the Missouri, requesting that the attention of the commanding general be drawnto the deficiency in the rations for the Indians (Arapahoe and Northern and Southern Cheyennes), furnished to the agent for those tribes for the present fiscal year. The entire report, though quite long, will repay a careful reading. I regard the Cheyenne tribe of Indians, after an acquaintance with quite a number of bands, as the finest body of that race which I have ever met, and do not consider them in any manner badly inclined. These Indians have complied with the views of the government in their behalf, and thus it appears to me that it is incumbent on all officers of the government who are in any way charged with its interest in this part of the country to use their best endeavors that they be prevented from great suffering, which I am unable to see can be avoided if the present allotment of subsistence to their agent be very largely increased. It is my judgment that the only just course, and the wisest, is to first habitually feed these Indians properly, and then as habitually punish each offending individual, and gradually to insist on their working. The within report, in my judgment, gives a very correct idea of the present condition of these Indians, and of their immediate needs.

From this report it is evident:

First, that there should be a large increase in the rations furnished.

Second. An increase in the force for issuing, and greater care in making the issues.

Third. An increase in the medical force and in medicines.

R. S. MACKENZIE,
Colonel Fourth Cavalry, Commanding.

[Second Indorsement.]

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
Fort Leavenworth, Kans., October 20, 1877.

This report, made by Lieutenant Lawton, Fourth Cavalry, of a special Inspection of the Indians at the Cheyenne and Arapahoe Agency, near Fort Reno, and of the supplies furnished the Indians, as well as the manner of issue, is respectfully forwarded to Headquarters Military Division of the Missouri, and the special attention of the division commander is invited to it. It is a clear and moderate statement of what he actually saw, and a plain recital of what the chiefs told him. I think it worthy of the consideration of the proper authorities of the Interior Department.

JOHN POPE,
Brevet Major-General, Commanding.

AGENT MILES'S LETTER OF SEPTEMBER 20, 1878*.

[Referred to in Major Mizner's letter above.]

UNITED STATES INDIAN SERVICE,
Cheyenne and Arapaho Agency, Ind. Ter., September 20, 1878.

COLONEL: I have the honor to acknowledge the receipt of your communication of even date, and in reply I mention primarily, as one of the causes which led the Northern Cheyennes to leave this reservation, that in the treaty made with these people in 1876 they were promised as a daily ration 1½ pounds beef net, ½ pound of flour or ½ pound of corn, and 4 pounds coffee, 8 pounds sugar, and 3 pounds of beans to each 100 rations, which promise has only been carried out in part, the supplies received being insufficient. They were also promised houses for the chiefs and assistance to build houses for others, cattle, hogs, &c., none of which has been carried out.

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* Referred to in the testimony as "Exhibit G."

Again, they objected to the method of issuing rations by families, as tending to lessen the importance of the chiefs.

Under instructions the issues to these Indians were kept distinct from the Southern Cheyennes and Arapahoes until July 1, 1878, the appropriations by Congress being made separately. This seemed to increase the ill feeling which has always existed between the Northern and Southern Cheyennes. When after July 1, 1878, the issues were no longer required to be kept separately, the Southern Cheyennes were encouraged to blend the Northern Cheyennes with their own people, in which they were successful to the extent of over 550 people, under Living Bear, Calfskin Shirt, Standing Elk, Turkey Legs, American Horse, and others, who, accepting this country as their permanent homes, have placed their children in school and are well behaved.

The remainder of these people under Dull Knife, Wild Hog, Crow Indian, Little Wolf, and others separated from the majority and camped by themselves from seven to twelve miles from the agency. These were regarded by the Southern Cheyennes as "seceders."

On the 5th instant information was given by the other Indians that the Northern Cheyennes were constantly stealing their best ponies, and that they had every reason to believe some of the young men of these seceders had already gone north, and that the others were preparing to follow. To the end that this office might know with certainty whether these reports were justified or not, an enrollment of all male adults of the Northern Cheyennes was ordered. All those who had affiliated with the Southern Cheyennes promptly obeyed this order, but these discontents refused to report, making all manner of excuses, sending daily representatives as bearers of messages, until the 8th instant, when they demanded a modification of the order.

In addition to frequent conferences with the chiefs myself, I sent Mr. Covington, agency farmer, on the 7th and 9th instant, to their camps, who urged upon them the necessity of promptly complying with the order for enrollment, assuring them it would affect only those found absent; that our whole purpose was merely to find how many, if any, had left; that measures could be taken to effect their return, and those remaining would be in no way injured, but left their liberty as usual. Every measure was taken, in conjunction with yourself, to secure compliance with this necessary order in a firm but friendly manner, but without effect, and on the night of the 9th instant they escaped from their camp, which they had strongly intrenched, leaving their lodges and tepees standing.

Some of their young men were heard to say, "We are sickly and dying here, and no one will speak our names when we are gone." We will go north at all hazards, and if we die in battle our names will be remembered and cherished by all our people."

Very respectfully,

JNO. D. MILES,
United States Indian Agent.

Col. J. K. MIZNER,
Commanding Fort Reno, Ind. Ter.

Major Mizner's letter of September 19, 1878.[*]

HEADQUARTERS FORT RENO, IND. TER.,
September 19, 1878.

SIR: The attention of the department commander is respectfully invited to the following statement of the quantities and kind of supplies furnished for the subsistence of the Indians at the Cheyenne and Arapahoe Agency for the fiscal year ending June 30, 1879, and, in connection therewith, to the amounts of the same necessary to subsist these Indians to the same date, that the very large deficiency that must exist may be made more apparent.

Total number of Indians, 5,004.

	Amount required for the year.	Amount purchased and contracted for.	Deficiency.
Bacon	100,000	....	....
Beef	[†]5,179,380	3,750,000	1,429,380
Flour	913,230	600,000	313,230
Corn	913,230	150,000	763,230
Beans	54,793	Not yet known	....
Lard	20,000	10,000	....
Salt	18,264	Not yet known	....
Coffee	73,058	38,018	35,040
Sugar	146,116	80,028	66,088
Tobacco	9,132	Not yet known	....
Soap	18,264	10,000	8,264

The figures speak for themselves and comment is unnecessary; and unless the deficiency is supplied great suffering to these Indians must of necessity result. It has been the practice and policy of the Indian Department to send a large part of the Indians on a buffalo hunt for four or five months each year, and it is presumed, that with such an expedient in view, only eight months' supplies have been furnished, with a hope that the Indians can subsist themselves for at least four months during the present fiscal year. Such a hope will, I am satisfied, be a vain one, and should not, and, indeed, cannot, be depended on. Two years ago the Indians had a successful hunt, and subsisted themselves for about five months. A year ago their hunt was a disastrous failure, and a very large number of Indians absent from the agency without rations suffered greatly for want of food. They soon destroyed all the small game that could be found; then lived for a time on dogs, coyotes, and horse-flesh, until beef could be issued to them at Camp Supply to keep them from starving until they could reach the agency. Permission was granted the Indians to go on a hunt in July, but as no buffalo could be found or heard of in the Territory, the Indians were advised by the agent and myself to give up the hunt, fearing an experience similar to that of last winter. Aside from the consideration that these Indians should give up the chase rather than continue it, as tending to foster a warlike spirit, and diverting their attention from more civilized pursuits, it is well known that the buffalo have almost entirely disappeared from this region, and subsistence from this source cannot be depended upon. The contracts made for beef and flour to supply the agency, and the amounts of each of the other portions of the ration allowed these Indians, so far furnished, seem to indicate that the Interior Department did not intend to furnish more than a two-thirds supply for the year, or only what will suffice for eight months, depending as heretofore upon the usual buffalo hunt to make up the balance, and as this cannot be relied on the supplying of the deficiency above shown should at once receive the serious attention of the proper authorities. Attention is respectfully invited to article 5 of agreement made at Red Cloud Agency September 26, 1876, published in appendix to Commissioner's report for the same year. This agreement requires the issue of 1½ pounds beef, net, or 3 pounds gross, ½ pound flour and ½ pound corn and 4 pounds coffee, 8 pounds sugar, and 3 pounds beans to each 100 rations.

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[*] Referred to in the testimony as "Exhibit F."

[†] This is a palpable error, although "according to copy" as found in the published reports. That it is not a typographical error, but an error of the original document, seems probable from the fact that the remainder—the "deficiency" in the last column—is based upon the figures as they stand, and not upon the correct figures.

The correct figures, and how they are obtained, are shown in Major Mizner's testimony (page 115); four thousand and four Indians, multiplied by 365, the number of days in years, gives a total of 1,826,460 rations; this, at three pounds of beef per ration, amounted to 5,479,380—not 5,179,380—a difference of three hundred thousand pounds. In other words, if Major Mizner's premises are correct, on correcting his figures to correspond with the facts, the deficiency for the year, instead of being something over fourteen hundred thousand pounds, as he makes it to be in this letter would be something over seventeen hundred thousand pounds.—[STENOGRAPHER.

	Purchased and contracted for.	Supply for 8 months.	Supply for one year.
Beef	3,750,000	3,647,916	5,179,380
Corn	150,000	607,986	913,230
Flour	600,000	607,986	913,230
Coffee	38,018	48,640	73,058
Sugar	80,028	97,280	146,116
Beans	None	36,480	54,793

The above figures show that the supplies furnished are just about sufficient for eight months. The additional 25 per cent. of beef and flour that may be called for on the contracts will supply the deficiency in these articles shown above; but the appropriation for the civilization and subsistence of these Indians, together with those at Fort Sill and the Wichita Agency, is only $240,000, and the indebtedness already incurred for this agency alone amounts to over $135,000; which, with the fact that the price of beef is much higher for this year than last, may put it beyond the power of the Commissioner to furnish further supplies without an additional appropriation. While it is well known that the supply will be inadequate for the year, it is and has at all times been irregular. Since the 1st of July, and until September 1, the Indians have had little else than beef. A full issue of flour has been made twice. The Indians are subjected to many aggravations, and men of more gentle nature would not be slow to complain.

It seems proper for me to present all the facts for the consideration of the department commander, that he may urge, through the War Department, a more kind and humane treatment of these savages; if necessary, that the attention of the President be called to this subject, that he may lay the matter before Congress. Our recent experience shows the necessity of making good our agreements with Indians sent to the Indian Territory.

Very respectfully, your obedient servant.

J. K. MIZNER,
Major Fourth Cavalry, Commanding.

ASSISTANT ADJUTANT-GENERAL,
Department of the Missouri Fort Leavenworth, Kans.

HEADQUARTERS FORT RENO, IND. TER., *September* 20, 1878.

SIR: In compliance with the desire of the department commander, as contained in your telegram of the 13th instant, directing me to report the causes that led to the recent escape of the Northern Cheyennes from the vicinity of this post, I have the honor to submit the following:

The Northern Cheyennes arrived at this post from Camp Robinson, Nebraska, under charge of First Lieut. H. W. Lawton, Fourth Cavalry, August 5, 1877, and were turned over to the agent of the Cheyenne and Arapahoe Agency August 8, 1877, as appears by letters addressed to your office and to Agent Miles hereto appended, and marked A and B.

An enrollment of these Indians showed:

Men	235
Women	312
Children	386
Total	933

With them were 4 Arapahoes, viz, 3 men and 1 woman, making a total of 937.

Since that date a few small parties have surrendered, and a few of the original number have died; so that on the 1st of July the number of Indians classed as Northern Cheyennes was 942.

A large part of these Indians found friends and kindred among the Southern Cheyennes, and have affiliated and mixed with them, joining their various bands and villages. About one-third of the Northern Cheyennes have remained together under the leadership of Dull Knife, Wild Hog, and Crow Indian, and comprised about 375 Indians, and it was this party, excepting about 50 persons under American Horse, that finally left the reservation and started north.

As near as can be ascertained the Indians who left comprised about 89 men, 112 women, and 134 children.

The general conduct and behavior of these Indians was about the same as the remainder of their people, and except the fact that their present location and treatment was a new experience to them, they did nothing to attract special attention. They were represented at all councils and talks held by the agent, expressed themselves about as the other Indians did, but always complained more or less about the rations, and particularly about the quality and quantity of the beef ration.

At first they wanted their rations issued in bulk, as had been done north but soon fell into the customs of this agency without special complaint.

After they had been here a few months, a few began to show and express themselves dissappointed in the country, and to wish themselves back north, but there was nothing to indicate a fixed or settled determination to go back.

The Cheyennes who left showed no desire to engage in farming or to follow the example of the other Indians in any civilized pursuits. They rather kept to themselves, and were quiet lookers on.

My letters of April 14, September 6 and 18, give nearly all the information that can be furnished in regard to these Indians, except perhaps as to the ration issued to them.

During the latter part of the winter and the early part of the spring the beef was very poor and was much complained of by all the Indians on all occasions, and it was really very bad. From the 1st of July to September 1 the issue of rations was very unequal. The regular full ration of flour was issued but twice, while beef was issued constantly. There was but little flour and sometimes no coffee or sugar. A table showing issues during July and August is appended and marked C.

I cannot say that there was any absolute suffering in consequence of want of food, yet the Indians of all tribes insisted that the ration was insufficient and only lasted them for three days out of the seven for which it was intended. Their continual demand was for more beef. The treatment of the Indians has been fair and reasonable, and I have heard of no complaints except as to the ration. A few complained about not having houses, stock, and farm implements.

The causes which led to the leaving of the Northern Cheyennes, as far as I can learn, may be summed up as follows:

They appear to be disappointed in the country; they found it sickly, as they claim, without game, and generally distasteful to them.

The ration, meat particularly, was poor and entirely insufficient. They were homesick, desponding, and disappointed, and were anxious to get back to a country better known to them, and where an abundance of game could be had. While here they did not get enough to eat. Still they said nothing to indicate that they intended to leave the agency or to assume a hostile attitude. It was expected that they would finally submit quietly to the requirements of the agent, as he assured them he is now prepared to issue full rations of everything, and they were strongly urged to settle quietly in camp near the agency, where they would receive the same rations and attention as all the other Indians.

What impelled them to their final rash act is only known to themselves, but there can be no justification for their recent conduct, other than could be claimed by every other Indian on the reservation.

When overtaken and compelled to submit, they should be completely disarmed and dismounted, and fully one third of their men banished to Florida or some other safe place, away from their people; and Dull Knife, Crow Indian, Wild Hog, and Little Bear should be made special examples of.

I inclose herewith a report from United States Indian agent, J. D. Miles, on the same subject.

Very respectfully, your obedient servant,

J. K. MIZNER,
Major Fourth Cavalry, Commanding Post.

Assistant ADJUTANT-GENERAL,
Department of the Missouri, Fort Leavenworth, Kans.

Agent Miles' letter of September 20, 1878.*

[Referred to in Major Mizner's letter above.]

UNITED STATES INDIAN SERVICE,
Cheyenne and Arapahoe Agency, Ind. Ter., September 20, 1878.

COLONEL: I have the honor to acknowledge the receipt of your communication of even date, and in reply I mention primarily, as one of the causes which led the Northern Cheyennes to leave this reservation, that in the treaty made with these people in 1876 they were promised as a daily ration 1½ pound beef net, ½ pound of flour or ½ pound of corn, and 4 pounds coffee, 8 pounds sugar, and 3 pounds of beans to each 100 rations, which promise has only been carried out in part, the supplies received being insufficient. They were also promised houses for their chiefs and assistance to build houses for others, cattle, hogs, &c., none of which have been carried out.

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* Referred to in the testimony as "EXHIBIT G."

Again, they objected to the method of issuing rations by families, as tending to lessen the importance of the chiefs.

Under instructions, the issues to these Indians were kept distinct from the Southern Cheyennes and Arapahoes until July 1, 1878, the appropriations by Congress being made separately. This seemed to increase the ill feeling which has always existed between the Northern and Southern Cheyennes. When after July 1, 1878, the issues were no longer required to be kept separately, the Southern Cheyennes were encouraged to blend the Northern Cheyennes with their own people, in which they were successful to the extent of over 550 people, under Living Bear, Calfskin Shirt, Standing Elk, Turkey Legs, American Horse, and others, who, accepting this country as their permanent homes, have placed their children in school and are well behaved.

The remainder of these people, under Dull Knife, Wild Hog, Crow Indian, Little Wolf, and others, separated from the majority and camped by themselves from seven to twelve miles from the agency. These were regarded by the Southern Cheyennes as "seceders."

On the 5th instant information was given by the other Indians that the Northern Cheyennes were constantly stealing their best ponies, and that they had every reason to believe some of the young men of these seceders had already gone north, and that the others were preparing to follow. To the end that this office might know with certainty whether these reports were justified or not, an enrollment of all male adults of the Northern Cheyennes was ordered. All those who had affiliated with the Southern Cheyennes promptly obeyed this order, but these discontents refused to report, making all manner of excuses, sending daily representatives as bearers of messages, until the 9th instant, when they demanded a modification of the order.

In addition to the frequent conferences with the chiefs myself, I sent Mr. Covington, agency farmer, on the 7th and 8th instant, to their camps, who urged upon them the necessity of promptly complying with the order for enrollment, assuring them it would affect only those found absent; that our whole purpose was merely to find how many, if any, had left; that measures could be taken to effect their return, and those remaining would be in no way injured, but left their liberty as usual. Every measure was taken, in conjunction with yourself, to secure compliance with this necessary order in a firm but friendly manner, but without effect, and on the night of the 9th instant they escaped from their camp, which they had strongly entrenched, leaving their lodges and tepees standing.

Some of their young men were heard to say, "We are sickly and dying here, and no one will speak our names when we are gone. We will go north at all hazards, and if we die in battle our names will be remembered and cherished by all our people."

Very respectfully,

JNO. D. MILES,
United States Indian Agent.

Col. J. K. MIZNER,
Commanding Fort Reno, Ind. Ter.

B.

HEADQUARTERS FORT RENO, IND. TER.,
August 8, 1878.

SIR: I have the honor to inform you that the Cheyenne and Arapahoe Indians who arrived at this post on the 5th instant, and who came from the Red Cloud Agency, under charge of First Lieut. H. W. Lawton, Fourth Cavalry, have been ordered to report to you, for your care, at the Cheyenne and Arapahoe Agency.

An enrollment of these Indians, a copy of which has been furnished you, shows a total of 933 Cheyennes and 4 Arapahoes.

Very respectfully, your obedient servant,

J. K. MIZNER,
Major Fourth Cavalry, Commanding.

J. D. MILES, Esq.,
U. S. Indian Agent, Cheyenne and Arapahoe Agency, Ind. Ter.

C.

*Weekly issues for two months prior to the flight of the Cheyennes.**

[Number of Indians, 5,004.]

Date.	Beef, gross.	Coffee.	Sugar.	Flour.	Corn.	Bacon.	Lard.
July 1	106, 113	....	....	12, 438	5, 247	3, 537	......
July 8	106, 113	....	....	17, 686	....	3, 537	......
July 15	101, 824	1, 415	2, 830	17, 665	....	3, 537	......
July 22	106 113	1, 415	2, 830	6, 216	11, 469	3, 537	......
July 29	106, 113	521	....	....	17, 686	2, 501	......
August 5	106, 113	1, 415	....	....	17, 686	....	518
August 12	132, 501	....	....	....	4, 522	....	......
August 19	106, 113	1, 415	2, 830	....	....	....	......
August 26	136, 127	1, 415	2, 830	....	....	....	......
September 2	106, 113	1, 415	2, 830	12, 526	....	....	......

July 1, 354 pounds salt; August 26, 354 pounds soap; September 2, 354 pounds soap.
Taken from report of the agent's weekly issues.

Letter from Agent Miles to the Commissioner of Indian Affairs.†

CHEYENNE AND ARAPAHOE AGENCY, INDIAN TERRITORY,
November 1, 1878.

SIR: I have received your letter of October 16, 1878, inclosing an article, clipped from the New York Times of the 15th ultimo, touching the causes which led to the recent outbreak among the Northern Cheyennes.

I have submitted, patiently as I could, to the criticisms of the press, and have in no instance attempted to answer the unjust strictures made, believing that an attempt to do so would involve the expenditure on such defenses of much more time than I am able to spare from my official duties; but when a newspaper of the character and standing of the New York Times joins in the hue and cry raised by petty journals throughout the land, perhaps the time is ripe and the occasion opportune to embrace in one communication a reply to all.

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*Referred to in the testimony as Exhibit H.

†Referred to in the testimony as "Exhibit ——."

Conceding to the late Colonel Lewis honesty of purpose in making his report to General Sheridan that the Cheyennes and Arapahoes were in a starving condition, living on short rations irregularly delivered, I yet submit that he was in no position to know that this state of affairs existed. He was in command of Fort Dodge, Kans., a military post distant from the camps of these Indians 235 to 250 miles, and he never visited the Indians nor did the Indians visit him. His official statement was made on the authority of one Amos Chapman, a scout employed at Camp Supply, Indian Territory, and it is very easily susceptible of proof that Chapman made but one trip to this country, had but little to do with any Indians except some Cheyenne women with whom he bargained for purposes of prostitution, the balance of his time at this place being spent in carousing at Fort Reno. No blame attaches to Colonel Lewis for believing a government employé, even when that employé's reports are mere fictions; and I state as a matter of fact, the proof whereof is overwhelming, that no such thing ever happened on this reserve as these Northern Cheyennes or any other Indians being *compelled* or obliged to eat decayed or any other kind of horse meat, either at the time specified or at any other time. I furthermore state and can prove by military and civilians of undoubted honor, that these Indians received a daily ration of three pounds of beef, it being issued in that proportion to each one alike, whether sucking babes or stalwart men, and that on two issue days immediately preceding their departure these Northern Cheyennes received, in common with every other Indian on the reserve, an extra issue of beef fully equivalent in value and nourishment to the flour not issued, for the very simple reason there was none on hand to give them; the lateness of the appropriation made by Congress and the time necessarily required for advertising, filing bonds, and awarding contracts, manufacturing, inspecting, and delivery of the flour at the agency in the Indian Territory by wagons, a distance of about one hundred and twenty miles, will account for its non-arrival at an earlier date.

The Interior Department, through the Indian Office, promised these Northern Cheyennes a daily ration, as set forth in section 5, treaty September 26, 1876, viz:

"In consideration of the foregoing cession of territory and rights, and upon full compliance with each and every obligation assumed by the said Indians, the United States doesagree to provide all necessary aid to assist the said Indians in the work of civilization, to furnish to them schools and instruction in mechanical and agricultural arts, as provided for by the treaty of 1868. Also to provide the said Indians with subsistence, consisting of a ration, for each individual of a pound and a half (1½) of beef (or in lieu thereof one-half (½) pound of bacon), one-half (½) pound of flour, and one-half (½) pound of corn; and for every one hundred rations four (4) pounds of coffee, eight (8) pounds of sugar, and three (3) pounds of beans, *or in lieu of said articles the equivalent* thereof, in the discretion of the Commissioner of Indian Affairs. Such ration, or so much thereof as may be necessary, should be continued until the Indians are able to support themselves. Rations shall in all cases be *issued to the head of each separate famil*, and whenever schools have been provided by the government for said Indians no rations shall be issued for children between the ages of six and fourteen years (the sick and infirm excepted), unless such children shall regularly attend school. Whenever the said Indians shall be located upon lands which are suitable for cultivation, *rations shall be issued only to the persons and families of those persons who labor* (the aged, sick, and infirm excepted); and, as an incentive to industrious habits, the Commissioner of Indian Affairs may provide that such persons be furnished in payment for their labor such other necessary articles as are requisite for civilized life. The government will aid said Indians as far as possible in finding a market for their surplus productions and in finding employment, and will purchase such surplus as far as may be required for supplying food to those Indians, parties to this agreement, who are unable to sustain themselves; and will also employ Indians, so far as practicable, in the performance of government work upon their reservation."

The beans specified were not furnished, but fully their value was furnished in baking powder, lard, salt, soap, and tobacco, none of which, as will be observed, were specified in that treaty to be furnished them.

In furnishing articles in lieu of those mentioned in the treaty the government complied with the spirit of the treaty and in a manner to a great advantage to the Indians. How far would the three pounds of beans daily to one hundred persons have mitigated the pangs of hunger? It would not have been sufficient to have satisfied one healthy man.

Basing my conclusion on an absolute knowledge of all the facts, I state that, in the aggregate, these Northern Cheyennes received fully all that their treaty entitled them to.

The single ration, as established by the department, might not be sufficient for a healthy adult, yet as the same ration is issued to all without regard to age, *babies included*, it certainly is sufficient to sustain life without any reasonable grounds for want. As, for instance, in a family of five persons, there will be usually one small child who does not require meat, and consequently this ration of beef is distributed among the remaining four.

It is the improvident habit of these people to consume the weekly issue of beef during the first three or four days after it has been issued, and the time intervening until the next issue has to be eked out by the indolent with the flour and small ration. All who occupy their time at work do not as a general rule require so much; but those with nothing in the world to occupy their minds fully nine-tenths of the time, they naturally take an interest beyond that of an industrious man in the gorging of their stomachs. Therefore, I submit that the "certain specific rations which were to be given the Northern Cheyennes, in consideration of their willingness to live in the Indian Territory," were actually given either as specified or in their equivalents.

It is also a noticeable fact that while an Indian is a tremendous eater, he is also possessed with a wonderful faculty for fasting, and can endure greater privation of food, with less real suffering and fatigue on a march, than the average white person.

In regard to the two or three issues of coffee and sugar withheld from this band and yet given to the Southern Cheyennes, I have to state that the coffee and sugar were withheld as stated, and under the authority given, but that it was withheld alike from those Northern and Southern Cheyennes who utterly refused to work. Under the treaty with these Indians they agree to assist in their own support, and it was to compel an attempt to perform what they promised that this measure was taken. Shall only the government abide by its part of the agreement? Shall the few obstinate Indians that may chance to be located at an agency be allowed to ignore their share of the contract with perfect impunity for fear of creating a disturbance? I believe, for the good of this class of Indians themselves, and for the sake of the many who are better disposed, every good citizen will say, no. The season for them to make an "*attempt*" (and I was willing to accept the "attempt") to farm and try and become self-supporting was at hand. The treaty they were governed by required them to work, department regulations required that they should work, yet they flatly refused to touch a plow or handle a hoe. Was not the desire of the government to enforce an obligation voluntarily entered into natural and right?

The endeavor has been made by some parties to fix the whole odium of the breach of contract upon the government, whereas the first breach was made by this band of Indians, in their refusal to comply with that stipulation of their treaty requiring them to endeavor to become *self-sustaining*—a condition so much desired by every American citizen.

How far the Cheyenne chiefs who signed the treaty of September 26, 1876, represented the people for whom they signed at the time, I cannot say. The government, under that treaty, holds it as affecting every one of them, but not one of the chiefs who left this agency September 9, 1878, signed that treaty, and on more than one occasion one of the chiefs who left informed me in substance that he had never made a treaty, and had only come south on trial and under great pressure, and have continually talked of returning and threatened to return when matters did not go to suit them.

The causes which, in my judgment, induced these Indians to leave have been previously reported by me to the department, and may be summed up in brief as follows, viz:

1st. They demanded the issue of rations *in bulk to bands*, instead of "heads of families" as provided by treaty and regulations.

2d. Refusal to make any effort at labor with the view to ultimate self-support, and the consequent withholding of three issues of sugar and coffee only—fully supported by treaty and regulations.

3d. By their own talk and acts they had become so obnoxious to a large portion of their own people and those of the Southern Cheyennes and Arapahoes as to be forced to camp to themselves, thus barring all means of affiliation and reconciliation through the well-disposed Indians, and when thus separated from better influences were continually planning and plotting to get back north.

4th. Since these Indians left, information has been given by trustworthy Southern Cheyennes that this party of Northern Cheyennes (937) transferred to this agency in August, 1877, brought with them, and had in their possession over one hundred Springfield carbines, being the arms captured by them from General Custer's command at the time of his death. The very fact of these Indians having successfully secreted these arms during their journey south and since their arrival at the agency, encouraged them in the belief that they were in the possession of the means by which they could cut their way back north at such time as they might consider most opportune. Had this band of Indians been disarmed (as I was led to believe they had), *as all captive hostiles should be*, and dismounted, there would not have been the least possible show for them to have taken such desperate chances.

Col. J. K. Mizner, commanding Fort Reno, Idaho, under date October 25, 1878, in answer to a communication of my own dated October 22, of same year, bearing upon this subject, makes the following statement, viz: "In reply to your letter of 22d instant, asking information as to whether the 937 Northern Cheyennes who arrived at this post under charge of Lieutenant Lawton, Fourth Cavalry, August 5, and who were turned over to you August 8, 1877, were disarmed previous to their arrival here, or by me before being turned over to your charge, I have to state that I understood that these Indians *had been disarmed* previous to their leaving Red Cloud Agency, but I had no official information to that effect." Thus it will be observed that the impression was gained that they *had been disarmed*, while in fact they were not.

The agent has been directly and inferentially charged with furnishing these Indians with arms and ammunition, and of a *superior quality* to that of the Army.

As to the *first* charge, I answer that it is without foundation; and as to the last, if there was any "superiority" in the matter it must have existed *in the manner of handling them*, as the pattern in their possession, as stated by the Southern Indians, must have consisted mainly of the Springfield carbine.

I cannot conceive how any thinking person could imagine that a civil agent would wish or even dare to place weapons in the hands of Indians who might bring them to bear against himself and an unarmed force of employés. The agent, with his family, of all others, desires that every bad Indian be disarmed.

The office of Indian agent was for years the synonym for fraud, and it is now almost a hopeless task for an agent to prove his honesty. Each outbreak of the naturally wild Indian, who cannot brook the restraints of civilization, no matter what the real cause may be, is attributed by an unthinking and unjust public to the agent's faults. For my own conduct and actions in all public matters I court the most searching investigation, and am willing to abide the judgment of any number of fair-minded men whenever it is thought expedient to investigate the conduct of this agency and its relations to the recent outbreak of the small band of Northern Cheyennes under the leadership of Dull Knife.

Very respectfully,

JNO. D. MILES,
United States Indian Agent.

Hon. E. A. HAYT,
Commissioner Indian Affairs, Washington, D. C.

Letter from the Commissioner of Indian Affairs to the Secretary of the Interior.*

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, November 16, 1878.

SIR: I have the honor to transmit herewith the report of Agent John D. Miles on the Cheyenne outbreak. This paper is so full and complete in all its statements that it leaves very little to be added to give an accurate history of the whole transaction.

The first inquiry in order is to ascertain and set forth precisely the amount of supplies of various kinds due to the Northern Cheyenne Indians under the agreement of September 26, 1876. The total number of these Northern Cheyennes is 937. The total amount of beef due them under the treaty for the year ending July 1, 1878, would be 914,256 pounds, or in lieu of that 152,376 pounds of bacon; the amount of beef given to them was 1,151,088 pounds, to which add bacon and lard, 16,204 pounds. The amount of flour to which they were entitled by the treaty was 152,376 pounds; the amount given to them was 159,024 pounds. The amount of corn due to them under the treaty was 152,376 pounds; the amount of corn given them was 6,792. The amount of coffee due to them under the treaty was 12,190 pounds; the amount of coffee actually given them was 9,923 pounds. The amount of sugar due to them under the treaty was 24,380 pounds; the amount of sugar given to them was 20,315 pounds. The amount of beans required by the treaty was 9,142½ pounds, of which none were given.

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*Referred to in the testimony as Exhibit J.

In addition to the amount required by the treaty there was given to them 2,512 pounds of salt and 2,483 pounds of soap, besides tobacco and baking-powder.

By the treaty they were entitled to receive, during the year, supplies to the money value of $32,316; they actually received supplies to the money value of $35,204. This statement disposes of all the clamor that has been current during the year that these Indians did not receive rations to the amount to which they were entitled under the treaty.

On the 1st of July last 80 Northern Cheyennes who had previously been fed with the Southern Cheyennes were transferred to the Northern Cheyenne party, increasing its numbers to 1,017, and full treaty rations for those 1,017 Indians from the 1st of July to the 7th of September, inclusive, would cost in money $8,345. The amount of rations given them, exclusive of corn raised by themselves, would amount to $7,743; if we add to that the value of the corn raised, which is proper to be considered in this connection, the total amount of the money value of their supplies would amount to $7,991, or $352 in money value less than the full government ration.

In this connection it would be fair to state that the rations for the year ending July 1, 1878, were nearly $3,000 greater in money value than the Indians were entitled to by the treaty; and the small deficiency represented by the $352 was owing to the fact that the Indian appropriation bill was not passed by Congress until the 27th day of May, and the opening of bids for supplies for the new fiscal year took place on the 18th of June, and it was absolutely impossible to make the purchase of supplies and transport them to the agency in season to be available as soon as the supplies were actually needed. Nevertheless the deficiency in amount was so slight that it is impossible to say that these Indians left the reservation for the want of sufficient food.

It should also be considered that the government ration, consisting of 3 pounds of beef (gross), ½ pound of flour, ½ pound of corn, and for every 100 rations 4 pounds of coffee, 8 pounds of sugar, and 3 pounds of beans, for every man, woman, and child, is more than sufficient for the ample sustenance of any community in the United States.

Section 3, page 449, United States Revised Statutes, provides "that for the purpose of inducing Indians to labor and become self-supporting, it is provided that hereafter, in distributing the supplies and annuities to the Indians for whom the same are appropriated, the agent distributing the same shall require all able-bodied male Indians between the ages of eighteen and forty-five to perform service upon the reservation for the benefit of themselves or of the tribe at a reasonable rate of compensation, to be fixed by the agent in charge, and to an amount equal in value to the supplies to be delivered, and the allowances provided for such Indians shall be distributed to them only upon condition of the performance of such labor under such rules and regulations as the agent may prescribe: *Provided*, That the Secretary of the Interior may, by written order, except any particular tribe or portion of tribe from the operation of this provision when he deems it proper and expedient."

It will be seen by the law above quoted that it was the duty of the agent to withhold supplies at times in order to compel the Indians to work if it was possible to get them to do so. No blame can attach to the agent for attempting to enforce this statutory provision.

I notice that Maj. J. K. Mizner, Fourth Cavalry, commanding at Fort Reno, has made a statement as to the quantity of supplies required by the treaty for the Cheyenne and Arapahoe Indians, and opposite which he attempts to place the amount actually purchased for the current fiscal year ending July 1, 1879. His statements are not accurate, and I presume the reason for the inaccuracy is that the facts in the case are not within his reach. There were $240,000 appropriated by Congress for the support of the Cheyenne and Arapahoe, the Kiowa and Comanche, and Wichita Agencies. The Cheyennes and Arapahoes are entitled under that appropriation to $133,000, and there is a clause in the appropriation act which permits the Indian Office to use the surplus that may arise in any one of the three tribes to cover any deficiency that may happen to either one. As the Wichitas contribute very largely to their own support there will in all probability be a surplus sufficient to cover a part if not the whole of any deficiency there may be in the Cheyenne and Arapahoe appropriation.

So far there has been expended for the Cheyennes and Arapahoes $142,329.99, which has purchased for them the following articles: Bacon, 40,410 pounds; beef, 3,750,000 pounds: baking-powder, 1,500 pounds; beans, 20,000 pounds; coffee, 38,000 pounds; corn, 150,000 pounds; flour, 600,000 pounds; hominy, 2,500 pounds; lard, 10,000 pounds; salt, 15,000 pounds; soap, 10,000 pounds; sugar, 80,028 pounds; tea, 50 pounds tobacco, 4,500 pounds.

In addition to the amount of beef purchased above, we are entitled under the contract to call for 25 per cent. more, which would make the total amount of beef available for the year under the contract 4,787,500 pounds, an amount of beef which will be quite sufficient for the purposes of the agency.

Maj. J. K. Mizner, by his want of familiarity with the subject, is led into a serious error in his published statement, by his assumption that the treaty calls for both beef and bacon, when, in fact, it calls only for beef or bacon, and it is also determined by the treaty that one-half pound of bacon is equivalent to one and one-half pounds of beef net or to three pounds of beef gross; and by his method of figuring he arrives at the conclusion that there is a deficiency under the treaty so far, in the purchases for the current fiscal year of 2,807,421 pounds of supplies. We have at present purchased within 464,774 pounds of the aggregate weight of the supplies called for by the terms of the treaty; and this is based upon the highest actual number of Indians that have been fed at any time at the agency. We are entitled under the beef contract to call for an additional quantity of 937,500 pounds, which when taken will make 472,000 pounds more than the treaty requires.

The following is an accurate statement of the amount of supplies called for by the treaty for the largest number of Indians ever fed at the agency, and also showing the amount actually purchased so far for the fiscal year ending June 30, 1879.

	Supplies called for by treaty.		Supplies actually purchased.	
Beef or its equivalent in bacon	4,542,562	pounds gross.	4,787,500	pounds gross.
Flour	757,085	"	600,000	"
Coffee	60,566	"	38,000	"
Sugar	121,132	"	80,028	"
Beans	45,422	"	20,000	"
Corn	757,085	"	150,000	"
Hominy			2,500	"
Lard			10,000	"
Soap			10,000	"
Salt			15,000	"
Tobacco			4,500	"
Baking-powder			1,500	"
Tea			50	"
Total	6,283,852		5,719,078	pounds.
Provided to be called for under contract for beef			937,500	"
			6,656,578	"

Major Mizner further states that "during the latter part of the winter and the early part of spring the beef was very poor, and was complained of by the Indians; it was really bad." And yet it was accepted by Lieut. William Morrison, a military officer under Major Mizner, detailed for the purpose of seeing that the Indians had good merchantable beef cattle issued to them. Major Mizner further states that from the 1st of July to the 1st of September "the rations lasted for three of the seven days." Undoubtedly they did last for three days, and while, in fact, they were sufficient for seven days, Major Mizner intended to have it inferred that they were sufficient for only three days. In order to ascertain that such was the fact, it was necessary for him to visit the lodges of over 5,000 Indians and take a detailed inventory of their food supply. In opposition to such a random statement, which has been quoted with his other assertions, are the facts given herewith of the daily ration issued for every man, woman, and child at the agency.

Major Mizner says further, "If they [the Indians] are left with the means to go to war, we simply sleep on a volcano." "I have also to ask that any Indians sent from the north to this department be disarmed and dismounted before being sent here." It is plainly the duty of the military authorities to disarm and dismount the Indians. It is not the duty of the civil agent, nor has he the power, to disarm and dismount; and the fact that these Indians had arms is certainly not the fault of the agent, as has been charged, but the blame rests elsewhere.

The statements to which this letter is a reply in detail are of the same character as the unfounded assertions put forth almost daily in regard to the administration of Indian affairs, and I would respectfully submit whether it would not be proper for officers in government service to ascertain the facts in each and every case before making unwarranted publications.

I have the honor to be, very respectfully, your obedient servant,

E. A. HAYT,
Commissioner.

Hon. C. SCHURZ,
Secretary of the Interior.

SICKNESS AND MEDICINES.

AGENT'S ESTIMATE OF MEDICINES NEEDED FOR 1878.

[The document earliest in date of the large number furnished the committee by the Indian Office and by Agent Miles was the latter's estimate of the medical supplies needed for the fiscal year ending June 30, 1878. This document, however, contains nothing pertinent to this investigation, unless it be the fact discoverable on analysis of the document that the amount estimated of medicines of all kinds was very much less than the same agent estimated for the succeeding year.]

THE AGENT'S ESTIMATE FOR 1879.

[Agent Miles's estimate for the fiscal year ending June 30, 1879, was accompanied by the following letters of explanation and appeal:]

CHEYENNE AND ARAPAHOE INDIAN AGENCY,
Darlington, I. T., May 12, 1878.

SIR: In submitting my annual estimate for medical supplies for the ensuing fiscal year, I deem it necessary to make some explanations. I find by reference to the circular of instructions relating to medical supplies, issued by the honorable Commissioner of Indian Affairs to United States Indian agents, that I am required to base my estimates for the ensuing fiscal year upon the specific quantities consumed during the present fiscal year. I would respectfully state that, in my opinion, such an estimate would fall far short of the actual requirements in case of this agency. During the present fiscal year I have been constantly embarrassed for want of proper and sufficient medicine, and have been obliged frequently to substitute and extemporize greatly to the detriment of the service; and, had it not been for the kindness of the post surgeon at Fort Reno, I. T., who kindly loaned me a limited quantity of such medicines as were imperatively necessary, it would have been quite impossible for me to have successfully treated many cases.

I would respectfully state that I consider the inclosed estimate none too large to meet the actual wants of 5,000 Indians and 52 white employés, and that any material reduction would, in my opinion, be detrimental to the best interests of the medical arm of the service.

Respectfully,
LAWRENCE A. E. HODGE, *M. D.*

JOHN D. MILES,
United States Indian Agent,
Cheyenne and Arapahoe Indian Agency, I. T.

[Indorsement.]

OFFICE UNITED STATES INDIAN AGENT,
CHEYENNE AND ARAPAHOE AGENCY, I. T.,
May 13, 1878.

Respectfully forwarded to the honorable Commissioner of Indian Affairs. The proper treatment of disease is a subject of such paramount importance that it is believed that it is only necessary to bring the matter of adequate supplies of proper remedies to the attention of the department to insure a full supply of all the different articles asked for.

JNO. D. MILES,
United States Indian Agent.

The estimate which accompanied the preceding letter asked (among other articles) for

Cinchona, fluid extract of (with aromatics), in eight-ounce bottles	80 oz.
Quinia, sulphate of, in one-ounce bottles, or compressed in tin	267 oz.
Cinchona, F. E.	64 oz.

DR. HOOD'S REVISION OF ESTIMATE.

The preceding estimate of Agent Miles was revised after being sent to Washington (see testimony of E. J. Brooks) by Dr. Hood, of the

Pension Office. This revised estimate included (among other things) a reduced quantity of anti-malarial remedies, as follows:

Cinchona, fluid extract of (with aromatics), in eight-ounce bottles	84 oz.
Cinchonidia	75 oz.
Quinia, sulphate of, in one-ounce bottles, or compressed in tins	75 oz.

This revised estimate by Dr. Hood was embraced in and made a part of the "Jadwin contract," hereinafter referred to.

THE JADWIN CONTRACT.

[Bids were advertised for and made; and were opened in New York on the 18th of June (see testimony of E. J. Brooks). The contract was awarded to Orlando H. Jadwin; the following being the essential portions of said contract:]

This agreement, made and entered into this 30th day of July, one thousand eight hundred and seventy-eight, by and between E. A. Hayt, Commissioner of Indian Affairs, for and on behalf of the United States of America, party of the first part, and Orlando H. Jadwin, of Brooklyn, Kings County, New York, party of the second part, for himself, his heirs, executors, administrators, and assigns, witnesseth:

That the said parties have covenanted and agreed, and by these presents do covenant and agree, to and with each other, as follows:

ARTICLE 1. That the said party of the second part, for himself, his heirs, executors, and administrators, hereby agrees to furnish and deliver, in the government warehouse, or such other place or places in the city of New York as may be designated by the said party of the first part, to such agent of the United States as may be designated to receive the same, and within thirty days from the date hereof, in accordance with the terms of the advertisement of the said party of the first part, dated May 24th, 1878, hereto attached, and which is made a part of this agreement, such of the articles named in the said schedule as may not be stricken therefrom by the party of the first part before he signs this agreement.

ARTICLE 2. That the party of the first part, however, reserves the right to require a greater or less quantity, not exceeding twenty-five per cent. in either case, of any of the goods or supplies than that specified in the said schedule, at the price or prices therein stated.

ARTICLE 3. That the party of the first part agrees to pay, or cause to be paid, to the said party of the second part, his heirs, executors, or administrators, for all the goods and supplies received under this agreement, at the rate or price affixed to each article designated in said schedule; payment to be made on presentation, at the Office of Indian Affairs, of invoices of the goods received after the same shall have been properly approved.

ARTICLE 4. That the party of the second part agrees that all goods or supplies to be furnished under this agreement shall be properly packed and marked, ready for shipment, according to directions, which will be given by said party of the first part.

ARTICLE 5. That it is agreed by and between the parties hereto that all goods or supplies offered for acceptance under this agreement shall be inspected by the samples thereof submitted with the proposals by persons properly designated for that purpose, &c. * * *

ARTICLE 6. That it is agreed, however, that, before the United States shall be bound by this agreement, the party of the second part shall furnish a joint and several bond, in the sum of five thousand dollars, duly executed, with two or more good and sufficient sureties; said bond to be conditioned for the faithful performance of this agreement, in all its particulars, by the said party of the second part.

* * * * * * *

In witness whereof, the undersigned have hereunto subscribed their names and affixed their seals the day and year first above written.

E. A. HAYT, [SEAL.]
Commissioner of Indian Affairs,
For and on behalf of the United States.

Witness:
JOHN A. BECKWITH.
A. F. GENTES.

ORLANDO H. JADWIN. [SEAL.]

N. K. BARNUM.
ABM. K. EARLE.

A list of the articles to be furnished to the government—not alone for the Cheyenne and Arapahoe Indians, but for all the Indians in its charge, except possibly those on the Pacific coast (see testimony of E. J. Brooks)—was incorporated in this contract, including, among other articles—

	Ounces.
Cinchona, fluid extract of (with aromatics), in eight-ounce bottles	964
Cinchonidia, sulphate of	390
Quinia, sulphate of, in one-ounce bottles, or compressed in tins	382

[Upon the back of this contract were the following indorsements:]

Articles of agreement for the delivery of goods or supplies, between A. E. Hayt, Commissioner of Indian Affairs, and Orlando H. Jadwin, for medical supplies. Dated July 30, 1878. Expires June 30, 1879. Bonds, $5,000.

BOARD OF INDIAN COMMISSIONERS,
Washington, D. C., August 17, 1878.

The within contract is examined and approved.

B. RUSH ROBERTS,
E. M. KINGSLEY,
Executive Committee.

DEPARTMENT OF THE INTERIOR,
Washington, D. C., August 24, 1878.

The action of the executive committee is hereby sustained.

A. BELL,
Acting Secretary.

Notification of approval.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, D. C., August 26, 1878.

SIR: I have to notify you of the approval, by the proper authorities, of articles of agreement entered into by this office and Orlando H. Jadwin, dated July 30, 1878, for medical supplies.

* * * * * * *

E. A. HAYT,
Commissioner.

E. SEWARD,
Nos. 61 *and* 63 *Wooster st., N. Y.*

AGENT MILES'S APPEALS FOR MEDICINES.

[Before the medicines under the Jadwin contract were delivered—even before it was approved by the executive committee of the Board of Indian Commissioners and by the Acting Secretary of the Interior—Agent Miles had made repeated representations of his lack of medicines, and appeals that they be furnished. Below are extracts from his monthly reports and other letters bearing upon this point:]

[From monthly report dated July 1, 1878.]

* * * The season of greatest malarial sickness is at hand, and a corresponding increase of sickness from that source is noted. A lack of sufficient remedies is the only obstacle to a successful treatment of this disease by the agency physician.

[On the 3d of August, Agent Miles telegraphed to the department for one hundred ounces of quinine. The dispatch itself is not to be found among the department records—only a memorandum that a dispatch to that effect was received.]

[From monthly report dated August 5.]

The sanitary report herewith transmitted shows over one hundred cases of sickness successfully treated; but the number treated shows only a portion of those applying for treatment. Fully as many if not mose cases have been turned away, by reason of the supply of proper remedies being completely exhausted, so that the agency dispensary presents only a beggarly array of empty shelves, and the good resulting from the successful practice is more than overcome by reiterated refusals to render medical aid.

A SMALL SUPPLY OF QUININE FURNISHED.

[On the 10th of August, Hon. E. M. Kingsley was requested to purchase and forward to the Indians at the Cheyenne and Arapahoe Agency and other agency a small supply of quinine, as appears by the following letter:]

OFFICE OF INDIAN AFFAIRS,
Washington, August 10, 1878.

SIR: Authority having been granted by the honorable the Secretary of the Interior for the purchase, in open market, of one hundred ounces of quinine, I will thank you to attend to the matter, and have sixty ounces packed, marked "U. S. Indian Agent, Wichita Agency, Indian Territory, via Wichita, Kansas," twenty-five ounces "Cheyenne and Arapahoe Agency, Indian Territory, via Wichita, Kansas," and fifteen ounces "Quapaw Agency, Indian Territory, via Baxter Springs, Kansas," and ship per express.

Have the parties from whom you purchase to pay express charges and include the same in their account, invoices of which must be made in quadruplicate.

Very respectfully,

WM. M. LEEDS,
Acting Commissioner.

HON. E. M. KINGSLEY,
30 Clinton Place, New York City.

[On the 14th of August, the Indian Office telegraphed to William Nicholson, superintendent of Indian affairs at Lawrence, Kans., as follows:]

OFFICE OF INDIAN AFFAIRS,
August 14, 1878.

WM. NICHOLSON,
Lawrence, Kans.:

Buy ten ounces quinine for Cheyenne and Arapahoe, and ship by express. Send invoice and express receipt here.

E. A. HAYT,
Commissioner.

MORE APPEALS FROM AGENT MILES.

[Extract from letter of Aug. 16, 1878.]*

On May 13, 1878, an estimate of medical supplies was forwarded to your office; and on August 3, a telegram was sent advising of a great amount of malarial sickness, many deaths, and continuing request for an immediate supply of one hundred ounces of quinine. To neither estimate or telegram has any response been received to date. Attention was also called to this matter in monthly report of July, 1878.

With over five thousand Indians to care for, the supply of medicine furnished this agency is not one-half as great in quantity nor near as various in character as that furnished Fort Reno by the medical department of the Army, with only one-twentieth of the number of persons to care for. Many deaths have already occurred from a lack of proper remedies, and so completely exhausted is the supply of medicine that the agency physician has been obliged to close his dispensary. Not one grain of any anti-malarial medicine has been on hand the present quarter; the liberality of the post has been tried to the utmost, and the whole stock of the stores borrowed and dispensed; and now we can only, as quietly as we can, see many die, who could have lived had the proper remedies been available. Cannot something be done immediately?

[Extract from the letter of August 21, 1878.]

I have the honor to acknowledge the receipt this day, by express, of ten ounces of quinine, purchased by Dr. Wm. Nicholson, Lawrence, Kans., pursuant to your instructions.

The demand at present for malarial antidotes is so great that this supply will only last one week.

[Extract from monthly report, September 2, 1878.]

In accordance with department requirements, I have the honor to submit herewith my report of affairs at this agency for the month of August, 1878.

The past month has been characterized by the absence of any quantity of rain, intense heat, and great prevalence of malarial disease of a very malignant type. In consequence the mortality has been large, but as yet it has been impossible to obtain the exact number of deaths. Fully one-half of all the Indians have been under treatment for fever and ague of greater or less violence; and the absence (on account of exhaustion for a time) of every kind of malarial remedies has been the cause of many deaths of those who doubtless could have recovered with proper treatment. During the month the agency physician received 95 ounces of quinine by express. This reached the agency the past week, and at date of this writing but 25 ounces remain unexpended, and the demand is still great.

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* Referred to in testimony as "Exhibit D."

THE INDIAN OFFICE HURRIES UP JADWIN.

WASHINGTON, D. C.,
September 24, 1878.

SEWARD, 61 *Wooster Street, New York City:*

Jadwin must make immediate deliveries under his contract, or else we must buy at his expense. See McKesson & Robbins and get their prices as compared with Jadwin's. No further delay will be tolerated, as the thirty days specified in the contract are up. Report at once.

WM. M. LEEDS,
Acting Commissioner.

MORE APPEALS FOR MEDICINE.

[From monthly report dated September 30, 1878.]

OFFICE UNITED STATES INDIAN AGENT.

I have the honor to submit herewith my report of affairs at this agency for the month of September, 1878.

The past month has been characterized by the continued prevalence of malarial diseases among the Indians and employés, and as the balance of quinine remaining on hand at the beginning of the month was soon exhausted, and no other medicines were received from the department during the month, there has been much suffering and some deaths. The Indians inform me that in every instance where the agency physician has been able to administer quinine in sufficient quantities the patients have recovered; while on the other hand many of those who have failed to receive such treatment have suffered much and long, and some have died. These Indians seem to have no reliable specific for chills and fever among their own list of medicines, while they have for some other diseases, snake-bites, &c. The absence of the annual supply of medicine during the malarial season of the year is very much to be regretted, and is a source of discontent among the Indians.

[Letter from Superintendent Nicholson.]

OFFICE OF INDIAN AFFAIRS,
CENTRAL SUPERINTENDENCY,
Lawrence, Kans., October 9, 1877.

HON. E. A. HAYT,
Commissioner of Indian Affairs, Washington, D. C.:

I transmit herein a letter from the physician of the Cheyenne and

Arapahoe Agency, I. T., indorsed by Acting Agent B. H. Miles, in which application is made for fifty ounces of quinine on account of exhaustion near at hand of remedies for malarial fever, which has prevailed unusually this season, especially among the Northern Cheyennes who have not yet become accustomed to the climate.

I would respectfully request immediate attention in order to avoid the consequences likely to ensue otherwise.

Respectfully,

WM. NICHOLSON,
Superintendent.

[Letter from the agency physician.]

CHEYENNE AND ARAPAHOE INDIAN AGENCY,
Darlington, I. T., October 2, 1877.

B. H. MILES,
Acting United States Indian Agent, Cheyenne and Arapahoe Agency, Indian Territory.

I would respectfully call your attention to the fact that my supply of quinine and the cinchonidia alkaloids are about exhausted. An unusual consumption of this drug has been due to the prevalence of an epidemic of malarial fever of unprecedented extent and severity, especially among the Northern Cheyennes who were recently transferred from the Red Cloud Agency, and are not yet acclimated.

In view of this fact I would urgently request that fifty ounces of the sulphate of quinine (or its equivalent of the sulphate of cinchonidia) be purchased at once and forwarded to this agency by express. Otherwise much sickness and death will necessarily ensue.

Respectfully,

L. A. E. HODGE,
Agency Physician.

[Indorsement.]

Respectfully referred to the Hon. Superintendent of Indian affairs at Lawrence, Kans., for his information, with the request that the articles of medicine herein named be purchased and forwarded as indicated by agency physician.

B. H. MILES,
Acting United States Indian Agent.

[Telegram from Superintendent Nicholson.]

OFFICE OF SUPERINTENDENT INDIAN AFFAIRS,
Lawrence, Kans., October 9, 1877.

To E. A. HAYT,
Commissioner of Indian Affairs, Washington, D. C.:

Miles requests fifty ounces quinine sent immediately, by express, to Cheyenne and Arapahoe Agency.

NICHOLSON, *Superintendent.*

ORGANIZATION AND REPORT OF A MEDICAL BOARD.

OCTOBER 12, 1878.

SIR: Having in mind the unusual demand at this agency for medical supplies the present season, and to the end that the department might be well satisfied that the demand was warranted, I asked of commanding officer of Fort Reno the detail of all the physicians on duty at that post, who should, in conjunction with the agency physician, form a board to visit the various camps, ascertain the amount of sickness, and recommend a supply table which will meet the wants of this agency.

This duty they have faithfully performed; and the result of their labors, together with their recommendations, is embodied in the reports herewith inclosed, to which your attention is earnestly invited. It is believed that the estimate, based as it is on an equal number of men selected on account of physical ability as soldiers, is not any too large for the needs of the Indians, sex being about equally divided, and living in an exceptionally unhealthy country.

The great need of medical supplies has been repeatedly brought to the notice of the department, and it is recommended that the estimate already in the hands of the contractor be so enlarged as to furnish the agency with the full amount specified in the accompanying list. The failure of the medical supply is now the only source of complaint; and, this removed, the demands made upon the Indians can be more readily enforced, and as a consequence, greater progress may be expected where there are no drawbacks.

JNO. D. MILES,
United States Indian Agent.

A. E. HAYT,
Commissioner of Indian Affairs.

[The medical board referred to in the preceding letter prepared a report of the supplies needed, which included]—

Cinchona, fluid extract of (with aromatics), in eight-ounce bottles...........	192 oz.
Quinia, sulphate of, in one-ounce bottles, or compressed in tins................	320 oz.

The report of this medical board was signed by A. A. Dahoffer, M. D., A. M., surgeon U. S.A.; Chase, M. D.; L. A. E. Hodge, M. D., agency physician.

AUTHORITY TO PURCHASE A SMALL SUPPLY.

[Telegram.]

OFFICE OF INDIAN AFFAIRS,
Washington, October 12, 1878.

Agent MILES,
Cheyenne and Arapahoe Agency, via Fort Sill, Ind. T.:

You are authorized to purchase medical supplies to cost not exceeding two hundred dollars.

WM. M. LEEDS,
Acting Commissioner.

HURRYING FORWARD THE MEDICINES.

[Telegram.]

DARLINGTON, I. T., *December* 10, 1878.

To HAYT,
Commissioner of Indian Affairs, Washington, D. C.:

Cannot medical supplies on annual estimate be hurried forward? Supply entirely exhausted, and large number of applicants for treatment daily refused.

CAMPBELL, *Acting Agent.*

[Telegram.]

OFFICE OF INDIAN AFFAIRS,
Washington, D. C., December 14, 1878.

JOHN D. MILES,
Wichita, Kans., or Darlington, Ind. T.:

Campbell telegraphs for medicines. If they are at Wichita, hurry them forward; if not, buy one hundred dollars' worth of most needed.

E. A. HAYT,
Commissioner.

[Telegram.]

WICHITA, KANS., *December* 19, 1878.

To E. A. HAYT,
Indian Commissioner, Washington, D. C.:

No medicines here. Will act as directed in balance of your telegram of 14th.

MILES.

[Telegram.]

OFFICE OF INDIAN AFFAIRS,
Washington, D. C., December 20, 1878.

To FENLON,
Leavenworth, Kans.:

Sixteen packages medicines for Cheyenne and Arapahoe, shipped from New York November 29th, have not yet arrived at Wichita. Trace and hurry them forward to that point.

E. A. HAYT,
Commissioner.

THE MEDICINES RECEIVED AT LAST.

[Extract from written statement to committee, dated August 22, 1879.]

* * * The annual supply of medicines embraced in my estimate of

May 10, 1878, was not received at the agency until Jan. 17, 1879, the entire malarial season having passed without these supplies.

JNO. D. MILES,
United States Indian Agent.

INDUSTRIAL PROGRESS.

DIMINISHING THE RATIONS OF INDIANS WHO REFUSE TO WORK.*

(Circular No. 10.)

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
March 1, 1878.

The following instructions are promulgated for the guidance of Indian agents in the administration of affairs at their respective agencies.

* * * * * * *

To enable agents not only to encourage, but also to enforce, regular labor among Indians, it is hereby ordered that after the 30th of April next, sugar, coffee, tea, and tobacco (except in cases of old age or infirmity), shall be issued to Indians only in payments for labor performed by them for themselves, or for the agency.

Neither should payments for labor be made in excessive quantities of sugar, coffee, tea, or tobacco; but care should be exercised that the Indians do not receive more than double the daily ration now allowed of these articles, the balance still remaining due being paid them in other articles of utility. Generally the labor performed by Indians for themselves should be paid for at lower rates than that done for the agency.

Indians should also be informed that the issuance of regular rations of flour and beef cannot long be continued by the government, and should have impressed upon them the necessity of engaging at once in some civilized occupation by which they may become independent of government support.

* * * * * * *

(Circular No. 13.)

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, April 15, 1878.

SIR: An impression has obtained with some agents that paragraph 5, office circular No. 10, relative to enforcing regular labor among Indians and directing that certain articles of subsistence be issued only for labor performed, obliged them to rate such labor at a fixed amount, and that the compensation for the same must be in a fixed amount of such articles of subsistence as were named.

This impression is an erroneous one, the design of this office being to have the Indian impressed with the idea, that he must perform some labor for his daily subsistence. The agent must exercise his own discretion as to whether the Indian is entitled to his daily ration by the spirit shown by him, in an effort to comply with the requirements of this office, and not by so many hours of actual labor performed at so much per hour, to be paid for in definite quantities of tobacco, coffee, and sugar, at a fixed rate per pound.

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*Referred to in the testimony as Exhibit C.

Generally the issues to those who labor, must not exceed the daily ration, and never more than double that amount, and then only in rare cases and as a reward for unusual zeal and industry, and the issues of such articles to those who will not do any work must be entirely cut off.

WM. M. LEEDS,
Acting Commissioner.

ADDITIONAL ANNUITIES TO LABORERS.

[Extract from monthly report, dated October, 1878.]

Under instructions from your office, dated February 22, 1878, the remnant of last year's annuities were issued on 14th of the month, to individual Indians in part payment for labor performed during the past season; an accurate account of the number of days each had labored or amount of work performed having been kept, embracing the "wood-choppers," "wood-haulers," "hay-makers," "freighters," "police," and "farmers." The result of this experiment fully satisfies me of the wisdom of such a preference in the distribution of annuities as it is so just as to commend it favorably to the minds of those who were barred from its benefits on account of not having labored.

[Extract from monthly report dated April 1, 1878.]

I have the honor to submit the following, as my report of the condition of affairs at this agency during the past month, viz:

Number of Indians present and drawing rations.

Tribe.	No family.	Men.	Women.	Children.	School children.	Total.
Cheyennes	710	830	1,077	1,318	61	3,286
Arapahoes	331	492	458	677	78	1,705
Totals	1,041	1,322	1,535	1,995	139	4,991

During the latter part of the month the Arapahoes, and a portion of the Cheyennes, broke winter camps and located in small parties on the reservation, where they have commenced farm work to the full extent of the farm implements furnished them. Others would be at work in same way if we had the implements to furnish them. I think I can safely say that the Indians of the agency are well disposed, and a majority of them willing to go to work.

The fact that coffee, sugar, and tobacco will only be issued in payment for labor after April 30, inst., has been strongly impressed upon their minds, and every effort will be made with the means at our command to carry out the wish of the department.

INDUSTRY OF THE INDIANS—AGRICULTURAL IMPLEMENTS.

[Extract from monthly report, dated July 1, 1878.]

Conformably to requirement, I submit herewith my report as United States Indian Agent for the Cheyennes and Arapahoes for the month of June, 1878.

There has been a slight increase in the number attached to this agency, as shown by the enrollment taken at the close of the past quarter; the total number of Indians at present being 5,051, of which number there are Arapahoes, 1,761, and of Cheyennes, 3,290. The increase is entirely due to births.

The Cheyennes who, under Howling Wolf's influence, adopted the white man's ways in earnest, have chopped two hundred cords of wood, that being the limit of that work assigned them. A part of them are now hauling the wood to Fort Reno, and the ardor shown by them in the beginning has in no wise abated.

Most of the agricultural implements contracted for in April last have been received; but as, on their receipt, the season was too far advanced for many of the articles to be of use, it was deemed best to issue only breaking plows and single shovels, hoes, &c., to the Indians, retaining the stirring plows, seed, &c., for next year, believing they would be in a better state to work with then, than if issued to those who would undoubtedly use them at the proper season, but who have no place to store them in the meantime.

Care has been taken to place the breakers where they would be most effectively used, and it was made a part of the conditions of the issue that in case those to whom they were issued did not make a proper showing of results, they should be returned, to the end that others might receive them who would show a greater appreciation of the gift.

[From monthly report, dated August 5, 1878.]

I submit herewith monthly report of affairs at this agency for month ending July 31, 1878.

The strength of the tribes remains the same as previously reported, viz, 5,054—the deaths being fully balanced by the births.

Permission was received, on the 18th of July, to allow the Indians to go upon a buffalo hunt, in limited numbers, if properly escorted. Owing to reports being received from reliable parties that there were no buffaloes within the limits of the reservation, and the permission referred to not allowing them to go beyond, the matter was fully explained to the chiefs and headmen, and resulted in an indefinite postponement of the hunt.

The weather has been excessively hot, the thermometer registering one day 110° in the shade, at Fort Reno, two miles from the agency, and for many days in succession, showing over 95° in shade, often compelling the suspension of all outdoor labor during the hottest portion of the day.

The corn crops being at a point in cultivation where the results could not be aided by labor on them, no work has been done in farming except to guard the corn, &c., from destruction by stock. Several showers during the month have ensured a fair return for the labor expended in making corn.

INDUSTRIAL EDUCATION.

[Extract from monthly report, dated October 2, 1878.]

On the 17th day of the month, thirty wagons of the Indian train, J. A. Covington in charge, left the agency for Wichita, Kans., after supplies. They were accompanied by a party of twenty-three Indian children, and some camp Indians, with Mr. Seger in charge, who had been invited to attend the annual fair held at that city. Mr. Seger's object in attending this agricultural fair was to give the children an opportunity to see something of the world, and exhibit some of the results of the literary, household, and industrial training of these Indian children, as compared with living examples of camp Indians.

School opened on 1st of the month, with an increase in numbers; but it was not until quite late in the month that the house was filled. Some of the older girls had been "sold for wives," and could not be brought back. Idle, indifferent camp life and influence had overcome others; so that it required a grand rally to get some of the old scholars back, or new ones to take their places. In this connection I wish to express my decided convictions against any more partial or complete vacations. The average attendance for the month has been $125\frac{11}{30}$, with an enrollment of 156.

EMPLOYÉS AT THE AGENCY.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, February 5, 1880.

SIR: In compliance with your verbal request, I have the honor to submit herewith, list of employés authorized by the department at the Cheyenne and Arapahoe Agency, Indian Territory, for the present fiscal year.

One physician, one commissary clerk, one farmer, one blacksmith, one carpenter, one sawyer and engineer, one assistant physician, one issue clerk, one assistant farmer, one laborer, one wagon-master.

Very respectfully your obedient servant,
E. J. BROOKS,
Acting Commissioner.

HON. S. J. KIRKWOOD,
United States Senate.

THE MISSION HERD.

*Statement of purchases.**

April 1, 1876:
Bought with proceeds of crop of 1875:

10 head of milch cows	$250 00
1 bull	25 00
10 yearlings	80 00

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* Referred to in the testimony as Exhibit N.

June 20, 1877:

Bought with proceeds of crop of 1876:

51 yearlings	$340	68
9 three-year-old heifers	93	00
22 cows	281	26

March 1, 1878:

Bought with proceeds of crop of 1877:

40 cows		
12 cows	150	00
22 cows	200	00
3 ponies for herding	110	00
31 head of cattle bought by agent on order of the Commissioner	249	86
19 head bought by earnings of the school	153	14

April, 1879:

Bought by agent, by order of Commissioner:

400 yearlings	3,160	00
26 head bought by sales of beef cattle	205	40
13 head bought by sales of pork	112	00
2 ponies for herding	60	00
Saddles and bridles for ponies	50	00

Statement of increase and loss of herd.

April 1, 1876:

Increase by purchase	21
Increase by calves, 12; died, 1; net increase	11

June 20, 1877:

Increase by purchase	82
Donations placed in herd by Adie Bent	25
Donations placed in herd by George Bent	8
Donations of bulls by G. &. R. Bent	2
Donations placed in herd by school-girls	12
Donations from Bull Bear to daughter	2
Donations from other sources	2
Increase by calves, 12; died, 1; net increase	11

March 1, 1878:

Increase by purchase	124
Donation by A. E. R	2
Donation by Romeo to daughter	12
Increase by calves, 30; died, 10; net increase	20

April, 1879:

Increase by purchase	13
Increase by calves, 85; died, 15; net increase	70

June 30, 1879:

Increase by purchase by order of Commissioner	400
Increase by calves, 125; died, 8; net increase	117
Increase from sales of cattle, the money being used to purchase others; net increase	26

Estimated value of herd, June 30, 1879:

212 cows, @ $15 each	$3,180	00
55 two-year-olds, @ $10	550	00
554 yearlings, @ $8	4,432	00
117 calves, @ $4	468	00
5 ponies	170	00
Saddles and bridles	50	00
Cash on hand from sales of stock	240	20
	9,090	20

JOHN H. SEGER, *Contractor.*

DISARMING HOSTILE INDIANS.

Letter from Major Mizner. [*]

HEADQUARTERS AT FORT RENO,
May 31, 1876.

SIR: I have the honor to inform you of the arrest of some twenty lodges of Cheyenne Indians, comprising ninety-seven persons of all ages, who reached the Cheyenne and Arapahoe Agency during the 27th and 28th instant, and were reported to me by United States Indian Agent J. D. Miles, yesterday. Many of the Indians may have been engaged in hostilities with other northern tribes, and some of them have been absent from the reservation without authority. It would seem to be manifestly proper that their last step toward a reconciliation would be a formal surrender to the military authorities, and after giving up their arms and horses they might be turned over to the care of the agent.

As this party of Indians was received and enrolled by the agent before any official information reached this office of their arrival, and as it now appears that they are still in camp, and are represented to be in a destitute condition, and to have but few arms, I do not think it would be well to molest them. Hereafter, upon receiving or learning of the approach of similar parties, I think a detachment of troops should be sent to meet and escort them to the post, that they may be disarmed and any dangerous men among them arrested before they are received by the agent, or permitted to settle on the reservation. I shall pursue this course in future unless otherwise ordered. * * *

I am, sir, very respectfully, your obedient servant,

J. K. MIZNER,
Major Fourth Cavalry, Commanding.

ASSISTANT ADJUTANT GENERAL,
DEPARTMENT OF THE MISSOURI.

RESIGNATION OF WILLIAM M. LEEDS.

WASHINGTON, D. C., *January* 21, 1879.

SIR: I have the honor to respectfully invite your attention and reply to the following statement and conclusion. When I assumed the duties of chief clerk of the Indian Office, I did so with the distinct understanding that I was not expected to confine myself to purely clerical duties. In accordance with such understanding, I have devoted myself to the service early and late, and have endeavored to render assistance in every way that my previous experience in the Indian service and elsewhere made it possible for me to do. During my occupancy of the chief clerkship I have felt that I have enjoyed your confidence, as well as that of the honorable Commissioner of Indian Affairs. Differences of opinion have arisen, however, between the Commissioner and myself, which have brought about a severance of those relations which are necessary to render the position of chief clerk desirable, and I feel called upon to carry out a purpose which, for other reasons, I have long contemplated. Before doing so I desire to thank you for the uniform courtesy and kindness which have been shown me, and to express my appreciation of your efforts and success in reforming the Indian service.

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[*] Referred to in the testimony as Exhibit K.

Thanking you for the leave of absence which was granted me in accordance with my request of the 17th instant, I now beg leave to tender my resignation of the position of chief clerk of the Indian Office, to take effect on the 25th instant.

Very respectfully, your obedient servant,

WM. M. LEEDS.

Hon. CARL SCHURZ,
Secretary of the Interior Department.

DEPARTMENT OF THE INTERIOR,
Washington, D. C., January 22, 1879.

DEAR SIR: I am in receipt of your letter of the 21st instant, stating that in view of differences of opinion that have arisen between the Commissioner of Indian Affairs and yourself, which render it impracticable to maintain such relations as make the position of chief clerk desirable, and further, that you feel called upon for other reasons to carry out a purpose long contemplated, and therefore tender your resignation, to take effect the 25th instant, your resignation is accepted to take effect as tendered.

Your devotion to duty and efforts to assist in purifying the Indian service have not been unnoticed by me, and from my knowledge of the case it gives me pleasure to say that the reasons existing for severing your connection with the Indian Office do not in any manner affect the respect and confidence to which your character and integrity are entitled. You have my best wishes for your future success.

Very respectfully,

C. SCHURZ.

Mr. WM. M. LEEDS,
Washington, D. C.

THE PRESENT RESERVATION AND THE TENURE BY WHICH IT IS HELD.

DEPARTMENT OF THE INTERIOR,
Washington, June 5, 1880.

Hon. J. T. MORGAN,
United States Senate:

SIR: I have the honor to acknowledge the receipt of your letter of the 29th ultimo, calling attention to the 2d article of the treaty of October 14, 1865, with the Cheyenne and Arapahoe Indians, and asking certain information in relation to the tenure by which they hold their present reservation in the Indian Territory. In reply, I respectfully invite your attention to the inclosed copy of report, dated the 4th instant, with accompanying papers therein noted, from the Commissioner of Indian Affairs, to whom the subject was referred, from which it appears that the present reservation of the Cheyenne and Arapahoe Indians was set apart by an executive order, dated August 10, 1869, at the request of the Indians named.

Very respectfully,

C. SCHURZ, *Secretary.*

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, June 4, 1880.

The Hon. the SECRETARY OF THE INTERIOR:

SIR: I have the honor to acknowledge the receipt, by your reference for "early report," of a letter from Hon. J. T. Morgan, dated May 29, 1880, inquiring, in substance, if the President issued an order or otherwise designated the territory now occupied by the Cheyennes and Arapahoes in the Indian Territory as a reservation, under the second proviso of article 2 of the treaty of October 14, 1865 (Stat. 14, p. 703), and how the assent of the tribe was obtained and how evidenced?

By the second article of the treaty of October 14, 1865, the United States agreed that the "country embraced within the following limits, or such portion of the same as may hereafter be designated by the President of the United States for that purpose, viz: commencing at the mouth of Red Creek or Red Fork of the Arkansas River; thence up said creek or fork to its source; thence westwardly to a point on the Cimarron River opposite the mouth of Buffalo Creek; thence due north to the Arkansas River; thence down the same to the beginning, shall be, and is hereby, set apart for the absolute and undisturbed use and occupation of the tribes who are parties to this treaty."

Soon after the ratification of this treaty the Cheyennes and Arapahoes went upon the "war path"; and continued their hostilities until their capture in 1868, when they were turned over to the military authorities.

By their hostilities they forfeited all rights and privileges under the treaty of 1865, and therefore it became necessary to make another treaty with them. This was done, and the treaty proclaimed August 19, 1868 (Stat. 15, p. 593), and by the second article thereof nearly the same tract of country was set aside for their reserve as had been held under the previous treaty. They were still dissatisfied; and the most prominent cause of their dissatisfaction arose from the following facts; the reservation assigned them was not the tract they had been led to expect would be given them, it being farther north, and being totally unfit for agricultural purposes, and their great aversion to leaving the North Fork of the Canadian River.

Under date of July 31, 1869, Superintendent Hoag forwarded to this office an extract from a letter of General Hazen, dated July 24, 1869 (copies herewith inclosed,) setting forth the reasons of the dissatisfaction of the Indians, and recommending that they be allowed to remain on the North Fork of the Canadian River, and that land be given them in lieu of the treaty reservation; and again, on August 4, 1869, he forwarded another communication from General Hazen, dated August 2, 1869 (copies enclosed), setting forth the same facts and urging his previous recommendation.

Upon the receipt of these communications this office, under date of August 10, 1869, reported the case to the department, and recommended that, as the Indians were anxious to remain where they were, the tract of country mentioned in a previous report on the subject, dated June 19, 1869 (copy inclosed), should be set aside for them in lieu of the treaty reservation. This recommendation was approved the same day, and transmitted to the President for his signature, which was placed thereon August 10, 1869.

It will thus be seen that the authority for setting aside this reservation for the use of the Cheyennes and Arapahoes is that vested in the

President, and sustained by the Supreme Court in the cases of Walcott *vs.* Des Moines Company (5 Wall., 681); Grisar *vs.* McDonnell (6 Wall., 363), &c. It will also be seen that the consent of the Indians was not necessary, as the reservation was made at their own request.

I inclose a copy of this report.

Very respectfully, your obedient servant,

R. E. TROWBRIDGE,
Commissioner.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, D. C., August 10, 1869.

SIR: Referring to my report to you of the 19th of June last, relative to the change of location of the reservation for the Cheyenne and Arapahoe Indians, I now have the honor to submit herewith copies of the following letters relative to this subject, viz:

Letter from Superintendent Hoag, dated the 31st ultimo, inclosing letter from Brevet Major-General Hazen dated the 24th ultimo.

Letter from Superintendent Hoag, dated the 4th instant, inclosing letter from General Hazen, dated the 2nd instant.

It appears from these letters that the Cheyennes and Arapahoes did not understand the location of the reservation as defined by the treaty of August 19, 1868; that they have never been upon said reserve and do not desire to go there, but that they desire to locate on the North Fork of the Canadian, some sixty miles below Camp Supply; that the agent for these tribes has a large quantity of valuable stores in this locality which are very much exposed.

Inasmuch as these Indians express a desire to be located upon a reserve, I think it very desirable that their wishes should be gratified and that they be not permitted to again roam on the plains. I therefore respectfully recommend that the President be requested to authorize the location of these Indians on the North Fork of the Canadian River, where they desire to go, and that immediate steps be taken to provide temporarily for them there. The country desired by them is public land, and I think it competent for the President to direct their location thereon.

In view, however, of the fact that these Indians have a reservation defined for them by treaty stipulation, legislation can be asked of Congress at the coming session to insure a permanent reservation for them where they may locate, and abandon as a reservation the present one, restoring it to public lands.

Very respectfully, your obedient servant,

E. S. PARKER,
Commissioner.

Hon. J. D. COX,
Secretary of the Interior.

DEPARTMENT OF THE INTERIOR,
Washington, August 11, 1869.

SIR: I return herewith your report of the 10th instant, upon which is indorsed the President's approval of the recommendation by the department that the Cheyenne and Arapahoe Indians be removed to a new reservation selected for their occupancy on the North Fork of the Canadian River.

The papers which accompanied your report are also herewith returned.

Very respectfully, your obedient servant,

J. D. COX, *Secretary.*

Hon. E. S. PARKER,
Commissioner of Indian Affairs.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, June 19, 1869.

SIR: I have the honor to acknowledge the receipt, by reference from the Secretary of the Interior on the 10th instant, of a letter from Adjutant-General E. D. Townsend, bearing date the 9th instant, inclosing a copy of a telegram dated Fort Leavenworth, Kans., June 8, 1869, from Major-General J. M. Schofield to General W. T. Sherman, recommending that the reservation for the Arapahoe Indians be changed from its present location to the North Fork of the Canadian River, and requesting a report thereon from this office.

By the terms of the treaty with the Cheyenne and Arapahoe tribes of Indians, proclaimed August 19, 1868, it is provided in the second article thereof that—

> The United States agrees that the following district of country, to wit, commencing at the point where the Arkansas River crosses the 37th parallel of north latitude, thence west on said parallel, the said line being the southern boundary of the State of Kansas to the Cimarron River (sometimes called the Red Fork of the Arkansas River), thence down said Cimarron River, in the middle of the main channel thereof, to the Arkansas River, thence up the Arkansas River, in the middle of the main channel thereof, to the place of beginning, shall be, and the same is hereby, set apart for the absolute and undisturbed use and occupation of the Indians herein named, and for such other friendly tribes or individual Indians as from time to time they may be willing, with the consent of the United States, to admit among them.

It will be seen, from the language of the second article of said treaty just quoted, that a reservation (upon which they are now located) has already been provided for said Indians within the boundaries in said article designated, but I am of opinion that it would be better for both the Indians and the government if they were to be removed to the North Fork of the Canadian River, in accordance with the suggestions of General Schofield, provided any authority can be found for removing and locating said Indians in the manner contemplated.

Should you be of opinion that such authority exists, and determine, in pursuance thereof, to cause a removal of said Indians to be made from their present reservation, I would suggest that a tract of country be set aside for their occupation and use, bounded as follows, viz: Commencing at the point where the Washita River crosses the 98th degree of west longitude; thence north on a line with said 98th degree to the point where it is crossed by the Red Fork of the Arkansas (sometimes called the Cimarron River); thence up said river in the middle of the main channel thereof to the north boundary of the country ceded to the United States by the treaty of June 14, 1866, with the Creek Nation of Indians; thence west on said north boundary and the north boundary of the country ceded to the United States by the treaty of March 21, 1866, with the Seminole Indians, to the 100th degree of west longitude; thence south on the line of said 100th degree to the north boundary of the country set apart for the Kiowas and Comanches by the second article of the treaty concluded October 21, 1867, with said tribes; thence east along said boundary to the point where it strikes the Washita River; thence down said Washita River in the middle of the main channel thereof to the place of beginning.

The territory comprised within the boundaries last above designated contains a small portion of the country ceded to the United States by the terms of the treaty with the Creek Indians concluded June 14, 1866, a portion of the country ceded to the United States by the terms of the treaty with the Seminole Indians concluded March 21, 1866, and the remainder is composed of a portion of what is commonly known as the "Leased country."

Inasmuch as this office has no information upon the subject, except that conveyed by the telegram of General Schofield, which is very meager and indefinite, I am unable to determine the causes which seem to require this change, and I would therefore respectfully suggest, unless there is some pressing necessity which will admit of no delay, whether it would not be well to refer the matter to the proper officers of this bureau for investigation and report before any action is taken.

The letter of Adjutant-General Townsend, together with the copy of the telegram of General Schofield, are herewith returned.

Very respectfully, &c.,

E. S. PARKER,
Commissioner.

Hon. W. T. OTTO,
Acting Secretary of the Interior.

OFFICE SUPERINTENDENT INDIAN AFFAIRS,
Lawrence, Kans., 7th mo., 31st, 1869.

Hon. E. T. PARKER,
Commissioner:

Herewith please find a letter of General W. B. Hazen's, of the 24th inst., relative to the present condition of the Cheyennes. From information therein contained, and from conversation had with him this day corroborative of the same, I regret to learn that our labor with these Indians this season will be much retarded for want of a permanent home for them. If the location of their reservation is to be under the supervision of the bureau, it should be done at once. If under the War Office, should not that department be reminded of the suffering condition of this agency? I see no reason why the Cheyennes should not be accommodated in their choice of a new home, as indicated in General Hazen's letter. I cannot too strongly urge the importance of this question for the consideration of the department.

Very respectfully,

ENOCH HOAG,
Superintendent of Indian Affairs.

FORT HARKER KANS., *July* 24, 1869.

Rev. ENOCH HOAG,
Superintendent Indian Affairs, C. S.:

* * * * * * *

Mr. Darlington I found on the Arapahoe Reservation, but no Indians have arrived there. I have been fearful from the first, and am now more so than ever, that the reservation assigned these people will not answer. They objected, to it at first, and why not give them some voice in where they shall go. They certainly did not understand of the treaty that they were to go where the treaty reads. Why not let them go on the North Fork of the Canadian, where they ask to go? It is unassigned has excellent soil, good water, and a fair amount of timber. I learn from the chief of the Osages that his people and the other Kansas Indians will be located much farther east in the Cherokee country when they remove from Kansas. This will leave no other use for the unassigned country but the one proposed. This ought to receive immediate attention, and the Indians placed where they are to be permanently, as Mr. Darlington and his assistant are weary of waiting and ought to be at work. I can learn nothing what the intention is. Can't you run over to department headquarters of Fort Leavenworth and learn there what is intended? This, of course, will receive the attention of the commissioners when they come out.

* * * * * * * *

I am, very respectfully, your obedient servant,

W. B. HAZEN,
Brevet Major-General.

OFFICE SUPERINTENDENT INDIAN AFFAIRS,
Lawrence, Kans., 8th mo., 4th, 1869.

Hon. E. S. PARKER:

Herewith please find a letter of the 2d instant from General Hazen relative to the Arapahoes and Cheyennes; and I have to request that the same be filed with my letter of 31st ultimo, inclosing one from General Hazen of 24th ultimo.

Very respectfully,

ENOCH HOAG,
Superintendent Indian Affairs.

LEAVENWORTH, KANS., *August* 2, 1869.

Rev. ENOCH HOAG,
Superintendent Indian Affairs:

With regard to the location of the Arapahoes and Cheyennes, I will briefly state that they came in at Medicine Bluffs last winter as prisoners of war, and have been held as such ever since; I at no time ever having any control over them.

Camp Supply was located as a convenient point to supply the troops that operated in the Indian country last winter, and it being a point where there were troops and provisions, the Indians were taken there. It is some sixty miles outside of their reserve, and I have been informed has no agricultural lands about it. It was understood that these Indians would be removed to their own reservation long before this, but having had no control of military matters there, I have no knowledge of the reason they have not been. Their own reservation I do not deem suitable for those people; they do not like it, and at the treaty certainly did not understand where it was. I am informed they wish to go to some point on the North Canadian (the stream Camp Supply is on), some sixty miles below that camp, where there is good soil and considerable timber. I would recommend, if they so desire, that they be permitted to go there, and that at once, as it is very important that the matter of permanent location should be settled in order that their agent, with all his assistants, now waiting, can get at work. The greater part of the season will, unfortunately, be lost at best. There is quite a quantity of valuable stores now at Mr. Darlington's camp very much exposed, for which I asked a guard but was refused.

I am, very respectfully,

W. B. HAZEN,
Brevet Major-General.

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